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ABSTRACT

This digest focuses on early marriage--the marriage of children and young people under the age of 18--from a human rights perspective. Research into early marriage has tended to concentrate on specific aspects of its impact, such as the effects on reproductive health and school drop-out. There has been little examination of the practice as a child rights violation in itself. The digest examines the extent of early marriage, its context, its causes, and its impact on every aspect of the lives of those affected--particularly young girls--and on the wider society. It outlines strategies to help those who have been married at an early age, and for the prevention of early marriage through education, advocacy, and alliance building. The digest concludes with a call for more rights-based research on an issue that has far-reaching consequences. Contains data boxes alongside the text and extensive information sources. (BT)

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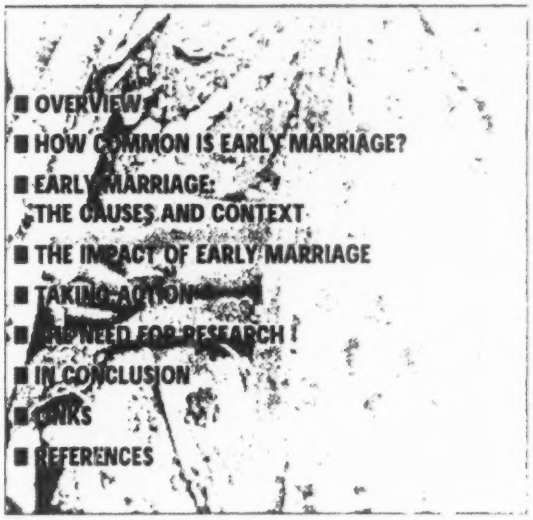
No.7 - March 2001

EARLY MARRIAGE

CHILD SPOUSES



- OVERVIEW
- HOW COMMON IS EARLY MARRIAGE?
- EARLY MARRIAGE: THE CAUSES AND CONTEXT
- THE IMPACT OF EARLY MARRIAGE
- TAKING ACTION
- THE NEED FOR RESEARCH
- IN CONCLUSION
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EARLY MARRIAGE
CHILD SPOUSES

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EDITORIAL

Throughout the world, marriage is regarded as a moment of celebration and a milestone in adult life. Sadly, as this *Digest* makes clear, the practice of early marriage gives no such cause for celebration. All too often, the imposition of a marriage partner upon a child means that a girl or boy's childhood is cut short and their fundamental rights are compromised.

Over the last thirty years with UNICEF in Asia, I have encountered the phenomena of child marriage and early marriage on numerous occasions. While much of the impact remains hidden, it is absolutely clear that millions of children and young people – particularly girls – suffer negative consequences.

This Digest looks at the reasons for the perpetuation of early marriage, and its possible increase in populations under stress. A key factor is poverty, with the marriage of children often seen as a strategy for economic survival. In addition, it is perceived as a way to protect girls and to provide some stability in situations where societies are under extreme pressure.

This Digest also examines the harmful impact of the practice. I have received countless reports of complications and even death in pregnancy and childbirth of wives too young to safely bear children. I have seen child wives who should be in school or playing, working in near slave-like conditions in the homes of their in-laws. I have reviewed education statistics revealing the large numbers of children, particularly girls, who drop out of school because of early marriage. And I have heard so many married women of all ages lament the fact that they cannot even read because they had to leave school early to be married.

Finally, the Digest offers positive guidelines to end the practice of early marriage. We must work to change attitudes in families and in societies at large, extend opportunities for childhood learning and education, offer appropriate support to families and children, and seek to have all children – girls and boys – recognised as valuable members of society rather than economic burdens.

Our intention is to raise awareness of the situation and, where necessary, to stimulate action. Where there is insufficient data on the practice and repercussions of early marriage, researchers and officials in both government and civil society are encouraged to initiate research in this area. In some countries, similar local 'Digests' could be useful tools for raising awareness. The field offices of UNICEF and other international organizations are also encouraged to use this publication to raise awareness, to advocate for action and to contribute to the formulation of concrete plans of action.

We are indebted to Mehr Khan, the former Director of the UNICEF Innocenti Research Centre, who paved the way for this Digest.

Stephen H. Umemoto, Acting Director
UNICEF Innocenti Research Centre

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OVERVIEW

Birth, marriage and death are the standard trio of key events in most people's lives. But only one – marriage – is a matter of choice. The right to exercise that choice was recognized as a principle of law even in Roman times and has long been established in international human rights instruments. Yet many girls, and a smaller number of boys, enter marriage without any chance of exercising their right to choose.

Some are forced into marriage at a very early age. Others are simply too young to make an informed decision about their marriage partner or about the implications of marriage itself. They may have given what passes for 'consent' in the eyes of custom or the law, but in reality, consent to their binding union has been made by others on their behalf.

The assumption is that once a girl is married, she has become a woman – even if she is only 12. Equally, where a boy is made to marry, he is now a man and must put away childish things. While the age of marriage is generally on the rise, early marriage – marriage of children and adolescents below the age of 18 – is still widely practised.

While early marriage takes many different forms and has various causes, one issue is paramount. Whether it happens to a girl or a boy, early marriage is a violation of human rights. The right to free and full consent to a marriage is recognized in the 1948 Universal Declaration of Human Rights (UDHR) and in many subsequent human rights instruments – consent that cannot be 'free and full' when at least one partner is very immature. For both girls and boys, early marriage has profound physical, intellectual, psychological and emotional impacts, cutting off educational opportunity and chances of personal growth. For girls, in addition, it will almost certainly mean premature pregnancy and childbearing, and is likely to lead to a lifetime of domestic and sexual subservience over which they have no control.

Yet many societies, primarily in Africa and South Asia, continue to support the idea that girls should marry at or soon after puberty. Their spouses are likely to be a few years older than they are, but may be more than twice their age. Parents and heads of families make marital choices for daughters and sons with little regard for the personal implications. Rather, they look upon marriage as a family-building strategy, an economic arrangement or a way to protect girls from unwelcome sexual advances.

Examples of Early Marriage

Rajasthan, India: The custom survives of giving very small children away in marriage. On the auspicious day of *Akha Teej*, the mass solemnization of marriages between young boys and girls is performed. From the parents' point of view, this is the tried and tested way of organizing the passing on of property and wealth within the family.[1] A small but significant proportion of the children involved are under age 10, and some are mere toddlers of two or three-years-old.

Niger: A recent study by UNICEF in six West African countries[2] showed that 44 per cent of 20-24 year old women in Niger were married under the age of 15. The need to follow tradition, reinforce ties among or between communities, and protect girls from out-of-wedlock pregnancy were the main reasons given. In the communities studied, all decisions on the timing of marriage and the choice of spouse are made by the fathers.

Bangladesh: Many Bangladeshi girls are married soon after puberty, partly to free their parents from an economic burden and partly to protect the girls' sexual purity. Where a girl's family is very poor or she has lost her parents, she may be married as a third or fourth wife to a much older man, to fulfil the role of sexual and domestic servant.

Albania: Families in rural areas, reduced to abject poverty by the post-Communist transition, encourage their daughters to marry early in order to catch potential husbands before they migrate to the cities in search of work, and to avoid the threat of kidnapping on the way to school.[3]

Neglect of the rights perspective

Social reformers in the first part of the 20th century were concerned about early marriage, especially in India,[4] and influenced the UDHR and other human rights conventions of the 1950s and 1960s. In the latter part of the 20th century, interest centred on the behavioural determinants fuelling rapid population growth, for obvious reasons.[5] Early marriage extends a woman's reproductive span, thereby contributing to large family size, especially in the absence of contraception.[6]

More recently, advocates of safe motherhood have turned their attention to this issue. Pregnancies that occur 'too early' – when a woman's body is not fully mature – constitute a major risk to the survival and future health of both mother and child.[7] Concern with the special health needs of adolescents has also recently been growing in a world where young people are particularly vulnerable to HIV/AIDS.[8]

However, from a demographic and health perspective, early marriage is seen primarily as a contributory factor to early child-bearing. And sometimes, even in this context, its role is overlooked: the phrase 'teenage pregnancy' is typically understood to mean pregnancy outside marriage. Yet far more adolescent or teenage pregnancies occur within marriage than outside it.[9]

During the past decade, the movement for 'Education for All' has stressed the need to enrol more girls in school and to keep them from dropping out before completion.[10] In this context, the custom of early marriage is acknowledged as one of the reasons for girls' exclusion from school, especially in cultural settings where girls are raised for a lifetime confined to household occupations and are expected to marry very young.[11]

Very recently, the situation of children in need of special protection, notably girls vulnerable to sexual abuse and HIV/AIDS, suggests that early marriage is being used as a strategy to protect girls from sexual exposure,[11] or to pass the economic burden for their care to others.[12] Thus, early marriage lingers on as a culturally and socially sanctioned practice according to some traditional sets of values and, among some highly stressed populations, it may even be on the rise.

Despite the efforts of reformers in the early part of the 20th century, early marriage has received scant attention from the modern women's rights and children's rights movements. There has been virtual-

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ly no attempt to examine the practice as a human rights violation *in itself*. Children and teenagers married at ages well below the legal minimum become statistically invisible as 'children'.[14] Thus, in the eyes of the law, an adult male who has sex with a girl of 12 or 13 outside marriage may be regarded as a criminal, while the same act within marriage is condoned.

To date, most studies on the effects of early marriage have focused on premature sex and pregnancy and school drop-out. Much work remains to be done, therefore, to analyse the full impact of this practice.

A shift in focus is beginning. The groundbreaking work of the Forum on Marriage and the Rights of Women and Girls is one example of this shift. The Forum, which is the only international inter-agency network on this topic, published *Early Marriage: Whose Right to Choose?* in May 2000[15] – a key resource for this Digest. The Forum also worked with UNICEF to organize a workshop on this issue during the UN Special Session on Women (Beijing+5) in June 2000.

This Innocenti Digest is a contribution to this changing focus in the dialogue on early marriage, and to efforts to repair a glaring omission in human rights analysis and action. It stresses the urgent need for more studies – particularly rights-based studies – on this issue. More research is also needed to identify ways to help those affected by the practice, and pinpoint the wider changes required in society to postpone marriage and foster 'full and free consent' – the right of every human being.

International Human Rights Instruments and Early Marriage

A number of human rights instruments lay down norms to be applied to marriage, covering issues of age, consent, equality within marriage, and the personal and property rights of women. The key instruments and articles are as follows (paraphrased for clarity in some cases):

Article 16 of the 1948 ***Universal Declaration of Human Rights*** (UDHR) states: (1) Men and women of full age ... have the right to marry and found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending parties. Similar provisions are included in the 1966 ***International Covenant on Economic, Social and Cultural Rights*** and the 1966 ***International Covenant on Civil and Political Rights.***

Article 1 of the 1956 ***Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*** includes in the institutions and practices similar to slavery: Article 1(c) Any institution or practice whereby: (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family ...

Articles 1, 2, and 3 of the 1964 ***Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*** state: (1) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person ... as prescribed by law. (2) States Parties to the present Convention shall ... specify a minimum age for marriage ("not less than 15 years" according to the non-binding recommendation accompanying this Convention). No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interests of the intending spouses ... (3) All marriages shall be registered ... by the competent authority.

Article 16.1 of the 1979 ***Convention on the Elimination of All Forms of Discrimination against Women*** prescribes equally for men and women: (a) The same right to enter into marriage; (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent; ... *Article 16.2* states: The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage. *Article XXI* of the ***1990 African Charter on the Rights and Welfare of the Child*** states: Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be eighteen years.

Scope of the Digest

This Digest focuses on marriages that take place under the age of 18 – the upper age limit for protection under the 1989 Convention on the Rights of the Child (CRC). It examines early marriage from the human rights perspective in order to offer guidelines for much-needed analysis and action. The CRC and the 1979 Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) provide the foundation for such a perspective, which requires a holistic approach to early marriage. This means examining every implication of the practice, from its limitation upon personal freedom to its impact upon health and education.

There is also a deliberate attempt to focus on unions that are recognized either in statutory or customary law as marriages, rather than informal or consensual unions. This Digest looks at the bindingness of marriage and what this means for those who are married too young, against their best interests, and without their effective consent.

While boys are affected by early marriage, this is an issue that impacts upon girls in far larger numbers and with more intensity. In many societies, adolescence

Early Marriage and the Convention on the Rights of the Child (CRC)

The CRC has been ratified by all countries with the exception of the United States and Somalia. Virtually every provision of the CRC is of some relevance to the issue of early marriage. Among the most pertinent, however, are the following (paraphrased for clarity in some cases):

Article 1: A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.
Article 2: Freedom from discrimination on any grounds, including sex, religion, ethnic or social origin, birth or other status.
Article 3: In all actions concerning children ... the best interests of the child shall be a primary consideration.
Article 6: Maximum support for survival and development.
Article 12: The right to express his or her views freely in all matters affecting the child, in accordance with age and maturity.
Article 19: The right to protection from all forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse, while in the care of parents, guardian, or any other person.
Article 24: The right to health, and to access to health services; and to be protected from harmful traditional practices.
Articles 28 and 29: The right to education on the basis of equal opportunity.
Article 34: The right to protection from all forms of sexual exploitation and sexual abuse.
Article 35: The right to protection from abduction, sale or trafficking.
Article 36: The right to protection from all forms of exploitation prejudicial to any aspect of the child's welfare.

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means an opening up of opportunity for boys, whereas for girls it often means a closing down of opportunity and personal freedom.[16] The experience for boys is, therefore, less likely to be as exploitative or physically harmful as it is for girls. As the table on married adolescents below shows, even in those societies where early marriage is common, very few boys under age 19 enter marriage compared to girls.[17] This unequal division of power in marriage is likely to be exacerbated where the husband-wife age gap is wide. This Digest focuses mainly therefore, on the implications of early marriage for girls.

How Common is Early Marriage?

The practice of marrying girls at a young age is most common in Sub-Saharan Africa and South Asia. However, in the Middle East, North Africa and other parts of Asia, marriage at or shortly after puberty is common among those living traditional lifestyles. There are also specific parts of West and East Africa and of South Asia where marriages much earlier than puberty are not unusual, while marriages of girls between the ages of 16 and 18 are common in parts of Latin America and in pockets of Eastern Europe.

One problem in assessing the prevalence of early marriages is that so many are unregistered and unofficial and are not therefore counted as part of any standard data collection system. Very little country data exist about marriages under the age of 14, even less about those below age 10. An exception is Bangladesh, where the Demographic and Health Survey (DHS) of 1996-97 reported that 5 per cent of 10-14 year-olds were married.[18]

Small-scale studies and anecdotal information fill in the picture. They imply that marriage at a very young age is more widespread than country data suggest. National statistics often disguise significant rates of very early marriage in some regions and among some sub-populations. In the Indian state of Rajasthan, for example, a 1993 survey of 5,000 women revealed that 56 per cent had married before age 15, and of these, 17 per cent were married before they were 10.[19] A 1998 survey in Madhya Pradesh found that nearly 14 per cent of girls were married between the ages of 10 and14.[20] In Ethiopia and in parts of West Africa, marriage at seven or eight is not uncommon. In Kebbi State, Northern Nigeria, the average age of marriage for girls is just over 11 years, against a national average of 17.[21]

Plenty of marriage data exist for those aged 15-19, mostly in relation to reproduction or schooling. DHS data also allow some analysis of the proportion of women currently married who married below age 18.

Married Adolescents:
Percentage of 15-19 year-olds married

Sub-Saharan Africa	boys	girls
Dem. Rep. of Congo	5	74
Niger	4	70
Congo	12	56
Uganda	11	50
Mali	5	50
Asia		
Afghanistan	9	54
Bangladesh	5	51
Nepal	14	42
Middle East		
Iraq	15	28
Syria	4	25
Yemen	5	24
Latin America and Caribbean		
Honduras	7	30
Cuba	7	29
Guatemala	8	24

Source: UN Population Division, Department of Economic and Social Affairs, World Marriage Patterns 2000

Sub-Saharan Africa

Trends have been exhaustively examined courtesy of World Fertility Survey and DHS data. Analysts have detected two groups of countries: those where marriage age is rising, such as Kenya, Uganda, Zimbabwe and Senegal, and those where there is little change, including Cameroon, Cote d'Ivoire, Lesotho, Liberia and Mali.[22] In several countries, over 40 per cent of young women have entered marriage or a quasi-married union by the time they reach the age of 18.[23] By contrast, in only two countries are more than 10 per cent of boys under 19 married.[24] Early marriage is generally more prevalent in Central and West Africa – affecting 40 per cent and 49 per cent respectively of girls under 19 – compared to 27 per cent in East Africa and 20 per cent in North and Southern Africa.[25] Many of these young brides are second or third wives in polygamous households.

In some African countries, notably Botswana and Namibia, few girls marry in their teens. However, cohabitation is relatively common. While the trend towards later marriage is clear for the continent as a whole, there are some countries, such as Lesotho and Mozambique,[26] where the trend has been in the other direction. There are also cases where the stress of conflict or HIV/AIDS seems to be contributing to early marriage.

Asia

Marriage patterns are much more diverse. The extreme cases are Afghanistan and Bangladesh, where 54 per cent and 51 per cent of girls respectively are married by age 18.[27] In Nepal, where the average age at first marriage is 19 years,[28] 7 per cent of girls are married before they are 10 years old and 40 per cent by the time they are 15.[29] In China, the proportion of early marriages fell by 35 per cent in the 1970s, but rose from 13 per

Percentage of Women Aged 25-29 Married before Age 18

Latin America	
Guatemala	39
Dominican Republic	38
Paraguay	24
South Central and Southeast Asia	
Bangladesh	81
Nepal	68
Pakistan	37
Indonesia	34
Sub-Saharan Africa	
Niger	77
Mali	70
Burkina Faso	62
Mozambique	57
Malawi	55
Cote d'Ivoire	44
Cameroon	43
Benin	40
Middle East and North Africa	
Yemen	64
Egypt	30

Source: Population Council

cent in 1979 to 18 per cent in 1987.[30] In many Asian countries, such as Vietnam and Indonesia, there are vast differences among regions, states or islands; some in line with ethnographic patterns. Meanwhile some countries have managed to raise the age of marriage significantly. In Sri Lanka, for example, the average age at first marriage is 25, compared to 19 in neighbouring India.

Middle East and North Africa

Early marriage is less common in this region than in South Asia or Sub-Saharan Africa. Data are scarce, but we know that 55 per cent of women under 20 in the United Arab Emirates are married, while in Sudan the figure is 42 per cent.[31] In a number of countries, averages may again disguise major disparities. A Ministry of Health field study in Upper (southern) Egypt in the late 1980s discovered that 44 per cent of rural women married in the previous five years had been under the legal age of 16 at the time.[32]

Caribbean and Latin America

In this region, UNICEF reports that 11.5 per cent of girls aged 15-19 are married. These figures also mask diversity, with much higher ages in the Caribbean, and lower ages in countries such as Paraguay, Mexico and Guatemala.[33] Marriage age among rural indigenous peoples is typically much lower than that of the urbanized population, in keeping with traditional patterns. In the Dominican Republic, the proportion of early marriages actually rose during the early 1990s from 30 per cent to 38 per cent.[34]

North America, Europe, Oceania

In industrialized countries, few women marry before age 18; only 4 per cent do so in the USA and 1 per cent in Germany, for example.[35] But in some parts of Central and Eastern Europe, early marriage survives; notably among the Roma people[36] and in Macedonia where 27 per cent of the women who married in 1994 were aged between 15 and 19.[37] In most of Eastern Europe and the CIS,[38] average age at marriage is in the low to mid-20s, implying some proportion in the teens (in the Kyrgyz Republic, 11.5 per cent).[39]

Throughout Oceania, the average age of marriage for women is over 20. However, in Kiribati, Marshall Islands, Papua New Guinea and Solomon Islands, at least 18 per cent of women are married between 15 and 19.[40]

Globally, it is important to note that early marriage, and early childbearing, have been more or less abandoned by the wealthiest sections of society, even in poor and highly traditional countries. Virtually everywhere, poor women in rural areas tend to marry younger than those in urban areas, and educational levels also play a critical role. An examination of the timing of marriage and the level of education, illustrated in the table above, shows consistently higher percentages of women with at least seven years of schooling marrying at age 20 or above.

The striking feature of the figures for the 15-19 age group in this table is the very existence of such data – captured in existing collection exercises, with the caveat that the upper age limit for the data is 19 rather than 18. While some commentators believe that the practice of early marriage is under-reported, this table shows that such data can be found. The data are extraordinarily thorough compared to those linked to many other areas of child rights violation.

Timing of Marriage and Level of Education

	%15-19 married	Av. age at 1st marriage	% of women with 7+ yrs school m. before 20	m. at 20 or older
Sub-Saharan Africa				
Botswana (1988)	6	25	55	71
Cameroon (1991)	44	19	27	77
Mali (1987)	75	16	6	19
Niger (1992)	59	18	1	17
Uganda (1988/89)	41	19	20	43
Latin America				
Guatemala (1987)	26	21	9	34
Mexico (1987)	20	22	32	72
Middle East				
Egypt (1992)	14	22	25	60
Yemen (1991/92)	25	21	6	21
Asia				
China (1987/88)	5	22	28	60
Indonesia (1991)	20	22	18	58
Pakistan (1990/91)	25	21	8	25

Source: Sexual Relationships and Marriage Worldwide, *Alan Guttmacher Institute 1995*

EARLY MARRIAGE: THE CAUSES AND CONTEXT

Customs surrounding marriage, including the desirable age and the way in which a spouse is selected, depend on a society's view of the family – its role, structure, pattern of life, and the individual and collective responsibilities of its members. The idea and function of 'family' varies across the world and is in a state of constant evolution.[41]

In Western Europe and North America, marriages have historically taken place later in life. Average age at marriage for 16th century women in Europe (other than among a small landowning elite) was 24 years (26 for men), rising to 27 by the 18th century (30 for men).[42] At that time, the family was the unit of economic production, as it is in many agrarian societies today. But households were usually separate, not combined; the newly-weds needed a place of their own and had generally saved some resources to start family life.

Later marriage in Europe has had an important impact on attitudes to consent. Because women and men marry as adults with experience of life, it is alien to accept unquestioningly a parental choice of spouse. The free consent of both partners to a marriage has been legally requisite since Roman times.[43] This consent, and

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the relative independence it gives to marriage partners, is absent from unions where the girl is absorbed into the household of her in-laws and takes on the role of the mother-in-law's protégé and helper.

One important difference between marriage customs in many developing world societies and those in the industrialized world is that in the former, these customs tend to support high fertility even where overall fertility levels are falling.

During the 1970s, concern about population growth, and perplexity about the widespread rejection of contraceptive technology by most couples in developing countries, led to efforts by social demographers to understand the reasons for what they saw as 'odd' behaviour.[46] These demographic studies extended into a historical examination of marriage and childbearing in Western Europe.

The basic difference in family patterns identified was between the traditional 'familist' system and the modern 'individualist' systems. The traditional system is characterized by extended families, communal households, plural mating, authoritarian exercise of power by the *paterfamilias*, young age at marriage, spouses chosen by elders, absorption of the newly-wed into an existing household, no non-household role or identity for women. In the 'individualist' system, which is the norm in industrialized countries, the opposites generally apply.[46] In the familist model, fertility is deliberately maximized by marrying girls immediately after puberty. The family is the unit of economic production and is the only source of wealth, social status and security for its members. New children (especially boys) are needed to run the household and maintain the family's status. The need to maximize reproduction is reinforced where infant mortality is high.

Early marriage as a strategy for economic survival

Poverty is one of the major factors underpinning early marriage. Where poverty is acute, a young girl may be regarded as an economic burden and her marriage to a much older – sometimes even elderly – man, a practice common in some Middle Eastern and South Asian societies, is a family survival strategy, and may even be seen as in her interests. In traditional societies in Sub-Saharan Africa, the bride's family may receive cattle from the groom, or the groom's family, as the brideprice for their daughter.[48] A recent study of five very poor villages in Egypt found young girls being married off to much older men from oil-rich Middle Eastern countries via brokers.[49] In Bangladesh, poverty-stricken parents are persuaded to part with daughters through promises of marriage, or by false marriages, which are used to lure the girls into prostitution abroad.[50]

In Nigeria, which is currently facing economic difficulties and political instability, age at marriage has barely risen, and in the north of the country the average age has fallen since 1990.[51] In West Africa as a whole, a recent UNICEF study shows that economic hardship is encouraging a rise in early marriage, even among some population groups that do not normally practise it.[52] Men are postponing marriage because of lack of resources, and parents have become anxious about the danger of their daughters becoming pregnant outside marriage. Thus any early opportunity for marriage may be seized upon. There are also reports from HIV/AIDS researchers in Eastern Africa that marriage is seen as one option for orphaned girls by caregivers who find it hard to provide for them.[53]

Some countries in the grip of on-going civil conflict show acute symptoms of child-related social stress: increasing child slavery and trafficking, rising numbers of children on the streets, very young prostitutes and labourers, and high levels of child neglect and abandonment.[54] Evidence suggests that in such situations, early marriage is on the rise. Families in refugee camps in Burundi, for example, protect their honour by marrying their daughters off as early as possible.[55] Reports from Iraq indicate that early marriage is rising there in response to poverty inflicted by the post-Gulf War sanctions,[56] and in Afghanistan, war and militarization have led to an increased number of forced marriages of young girls.[57]

Other pressures can promote early marriage in societies under stress. Fear of HIV infection, for example, has encouraged men in some African countries to seek young virgin – and therefore uninfected – partners.[58] Wherever the incidence of rape, trafficking, domestic violence, sexual servitude and child abduction is rising, it seems reasonable to ask whether early marriage is also making a comeback.

Protecting girls

Early marriage is one way to ensure that a wife is 'protected', or placed firmly under male control; that she is submissive to her husband and works hard for her in-laws' household; that the children she bears are 'legitimate'; and that bonds of affection between couples do not undermine the family unit.[59]

Parents may genuinely feel that their daughter will be better off and safer with a regular male guardian. In conflict-torn Northern Uganda for example, some families marry their young daughters to militia members in order to defend family honour or secure 'protection' for themselves and the girl.[60] The same thing has happened to girls in Somalia in the course of that country's conflicts.[61]

One important impetus for marrying girls at an early age is that it helps prevent premarital sex. Many societies prize virginity before marriage and this can manifest itself in a number of practices designed to 'protect' a girl from unsanctioned sexual activity. In effect, they amount to strict controls imposed upon the girl herself. She may, for example, be secluded from social interaction outside the family. She may be told what she can and cannot wear. In North-East Africa and parts of the Middle East in particular, control may also include the practice of female genital mutilation (FGM) – surgically restricting entry to the vagina (infibulation) or removing the clitoris (excision), to restrict sexual pleasure and temptation. In some societies, parents withdraw their girls from school as soon as they begin to menstruate, fearing that exposure to male pupils or teachers puts them at risk.[62] These practices are all intended to shield the girl from male sexual attention, but in the eyes of concerned parents, marriage is seen to offer the ultimate 'protection' measure.

Early marriage deprives a girl of her adolescence. In many traditional societies, the idea of an adolescent period between puberty and adulthood is alien. A girl who menstruates can bear a child, and is therefore 'a woman'. This sits awkwardly with the fact that the CRC covers everyone up to age 18 and regards childhood as a process of development – one that does not end with a definitive physical maturity marker.

In some societies, the independent sense of self that a girl may develop during adolescence is seen as undesirable. While women may be revered in such societies, they are also required to be subservient to the wishes of fathers, husbands, and sons – for their own protective good. It follows that if they are not, they deserve retribution; in Kenya for example, violence against disobedient wives is widely sanctioned.[61]

In many societies, a girl is raised to show the self-control and deference to men that will be expected of her throughout life. By the age of five, a girl in rural Pakistan has learnt to 'go outside' as little as possible, and adopt 'an attitude of care and service towards men'.[62] Obviously, in Pakistan as elsewhere, the younger the bride, the more chance of conditioning her into the appropriate subservient behaviour.

Contemporary pressures and early marriage

The theory of 'demographic transition', which has governed population policies since the 1970s, assumes that societies eventually abandon the strategy of high fertility when mortality declines due to health improvements, and under the pressures of urbanization and modernization.[63] The extended family begins to break up into nuclear components, and some couples leave for the towns. Individual wage labour replaces family-based production and instead of being an economic necessity, children become a 'cost'. Women may join the labour force, and receive an education beyond that needed for household management. In these circumstances, marriage and childbearing may be postponed.

Many developing countries are part way through the 'demographic transition': witness recent declines in fertility. Parts of any national population – better-educated and better-off urban dwellers – may adopt the norms of the industrialized world, including later marriage and child bearing. However, other groups may continue in the old patterns. Extended and nuclear families may exist side by side, even in the same generation. Where average age of marriage appears to be rising, this may disguise the fact that very large sub-populations are still marrying very young.

Old beliefs, customs and moral codes tend to persist during demographic transition, while new circumstances make only gradual inroads into actual practice.[64] The resilience of traditional practices and customs is illustrated by the situation of British girls from families of South Asian and Middle Eastern origin sent on a visit 'home', only to discover that they are to be forcibly married to a stranger.[65] Since older women are more likely than men to be excluded from new ideas, they are often the last to abandon the ideas that framed their own lives.

Marriage patterns – alongside other aspects of family formation – are subject to acute 'development' pressures such as declining incomes from the land, rapid urbanization, population mobility, and the volatility of global markets, all of which are currently causing profound social upheaval and economic marginalization. The outcome for families is increasing fragmentation and the erosion of their extended structure.

Families in the process of transition may, therefore, be caught between traditional and modern values. Men in search of work may join the individualist world in town; while the women they married in their teens, and their children, continue their traditional lives in the countryside.[66] This pattern is particularly common in Sub-Saharan Africa. Thus the impact of early marriage may be reinforced in the shorter term by the very process the world calls 'development'.

Sanctions against early marriage: the legal context

In many countries, early marriage falls into what amounts to a sanctions limbo. It may be prohibited in the existing civil or common law, but be widely condoned by customary and religious laws and practice. This is common where marriages typically take place according to customary rites and remain unregistered.

The situation is further complicated in countries where legislation was introduced by the colonizing power on the understanding that many customary practices would continue even if they were inconsistent with new laws. Some were even codified to make them legal. In Benin, for example, Article 68 of the 1931 'Coutumier du Dahomey' regulating customary marriage states that: "A marriage is not settled by the interested parties, but by their father, or in his absence by his older brother, or failing him, by the head of the family".[67] In Suriname, the legal minimum age of marriage is 15 according to the Civil Code; but under the Asian Marriage Act, which codifies practice for a particular group, the minimum age for girls is 13.[68]

Although most countries have laws that regulate marriage, both in terms of minimum age and consent, these laws may not be applied and few prosecutions are ever brought against lawbreakers – parents, officiators or spouses. Some laws do not prescribe sanctions; the only outcome of a case would be to declare the marriage invalid, leaving the wife without legal protection. Moreover, such laws usually do not apply to customary marriages.

In some countries, the legal minimum age of marriage set for boys and girls is clearly aspirational. Thus, the minimum age in two countries with a high prevalence of HIV/AIDS – Uganda, where 50 per cent of girls aged 15-19 are married, and Zambia, where the figure is 27 per cent – has been set at 21 for both males and females.[69]

In most cases where a minimum age is set, it is 18 or above for both males and females. In 15 countries, it is 16. A number of countries nonetheless allow marriages to take place at much younger ages with parental consent.

In cases where there is a discrepancy between the minimum age of marriage for boys and girls, it is consistently lower for girls.[70] However, at least 20 countries either do not have legislation to regulate marriage, or do not set any minimum age for either girls or boys.

There is considerable discrepancy between the legal age of marriage and the actual age of marriage for many girls. Indeed, in a number of countries, the average age at marriage is almost the same as, or even lower, than the legal age. In a few – Afghanistan, Chad, Democratic Republic of Congo (DRC), Mozambique, Niger – the only reason that the average age is not lower than the legal age is because the latter is not set or is set very low. In DRC, for example, the average age at marriage is 16.6 and the legal minimum age is 15.[71]

The situation is exacerbated by the fact that birth registration is so irregular that age at marriage may not be known. In

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addition, many marriages go unregistered; if there are problems in the marriage, the wife has no means of legal redress.

Thus, the use of law as a means of regulating early marriage is in no way sufficient. This does not mean that legal reform should not be sought. The Indian *Child Marriage Restraint Act*, 1929 stemmed from a campaign that helped reposition women, family life, and childbearing within modern India.[72] While the Act did not declare child marriages invalid, it helped pave the way for change. In 1978 it was strengthened to inhibit marriage of girls until the age of 18 and boys until age 21. However, the number of prosecutions under the Act did not exceed 89 in any year between 1994 and 1998.[73] Some governments have taken steps to unify their customary law and civil or common law, or have passed legislation designed to protect those in customary marriages: South Africa's *Recognition of Customary Marriages Act* of 1998 sets 18 as the minimum age for such unions and requires their registration.

In keeping with the spirit of the CRC, an increasing number of laws fix the minimum age at 18 years – the standard also set by the *1990 African Charter on the Rights and Welfare of the Child* and suggested by the CEDAW Committee in its general recommendation 21 and by the UN Special Rapporteur on Violence against Women. This standard responds to the growing consensus that the period of adolescence needs special support and protection.

The Inter-African Committee (IAC) on Traditional Practices Affecting the Health of Women and Children states that early marriage is: "Any marriage carried out below the age of 18 years, before the girl is physically, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing".[74] The Forum on Marriage echoes this position.

In their observations on States Parties' reports, the CEDAW and CRC Committees have both consistently recommended that states adopt higher minimum ages of marriage and ensure that these are the same for boys and girls. The CRC Committee also takes the view that, in cases where girls are considered adults before the law upon marriage, they would be deprived of the comprehensive protection of the CRC.[75]

Consent: law and practice

The second issue at the heart of a rights approach to early marriage is that of consent. The picture is similar to that concerning minimum age: in the vast majority of countries the law grants women the right to consent. Only in Cameroon, Jordan, Morocco, Uganda and Yemen are women specifically not granted by law the right to 'full, free and informed consent' to their marriage.[76] But in a large number of countries, these legal provisions are merely symbolic.

The more important practical issue is, therefore, whether or not the idea of consent is socially rated. Difficult questions arise around the age a child should be before he or she can 'consent' as a mature, cognisant and independent being to sexual relations or marriage, but where no clear consent has been given by one or other partner, the marriage is clearly forced.

In the case of marriages under the age of 10, consent – other than to dress up and play a game – is not a consideration. Toddlers married at *Akha Teej* ceremonies in Rajasthan cannot 'consent'. Nor is consent given in the cases of young girls from very poor homes in the Indian city of Hyderabad, Andhra Pradesh, sold as wives to rich men in the Middle East.[77] In Gojam, Ethiopia, marriages may be imposed from birth, with the girl sent to her future husband's home at around the age of seven to begin her integration into her marriage family. Here again, consent by the girl does not enter the picture.[78] Similarly, in marriages at or around puberty – from roughly ages 10 to 14 – 'consent' cannot be said to have been given since, at such an early age, a child cannot be expected to understand the implications of accepting a lifetime partner.

The question of marital consent becomes more difficult at age 15 or 16, by which stage a girl may have reached the legal age of sexual consent. In the CEDAW Committee's recommendation that the minimum age for marriage of both men and women should be 18, it commented that, "When men and women marry, they assume important responsibilities. Consequently, marriage should not be permitted before they have attained full maturity and capacity to act."[79] The Committee also observed that, "Some countries provide for different ages for marriage for men and women. As such provisions assume incorrectly that women have a different rate of intellectual development from men, or that their stage of physical and intellectual development at marriage is immaterial, these provisions should be abolished."[80]

It could be argued that even older children cannot be said to give informed consent to such a potentially damaging practice as early marriage. Beyond the issues of maturity and non-discrimination, any argument for a child's ability to consent to marriage is further undermined by the risk that marriage represents to his or her well-being. Many international bodies[81] consider early marriage to be one of the "traditional practices prejudicial to the health of children" cited in article 24(3) of the Convention on the Rights of the Child. Indeed, one of the key messages contained in this Digest is that both the physical and psychological impacts of early marriage may have serious implications for the well-being of those married.

Furthermore, while in many countries a girl or boy may have reached the legal age of sexual consent at the age of 15 or 16, this should not be taken to mean that they are ready to enter marriage. A lack of legislative clarity over the different implications of consent to sexual activity and consent to marriage can result in strange anomalies. In Maryland, USA, the state law defines statutory rape as sex with a child younger than 14 by someone four or more years older. However, another law allows children under 16 (with no minimum) to marry with proof of pregnancy and parental permission, and this provision is sometimes used – in one notorious case to allow a 29-year-old man to marry a 13-year-old girl.[82]

In 1997, the Committee on the Rights of the Child protested a similar situation in Algeria.[83] Here, as in other countries such as Chad, Costa Rica, Lebanon, Libya, Romania and Uruguay,[84] the law allows a perpetrator of rape, including statutory rape of a minor, to be excused of his crime if he marries his victim; a judge simply legitimizes the union. This has also happened in California in cases of underage pregnancies where the man is willing to 'stand by' the girl. In effect, the state welfare agency supports what is seen as a viable partnership as an alternative to costly state care for mother and child.[85]

In a number of countries, it takes only the parents' consent to override the legal

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age of marriage – a judge is not required. In Colombia, the legal age is 18, but with parents' permission girls of 12 and boys of 14 can be married. In the Dominican Republic there is no minimum age in exceptional circumstances and with parental consent.[8]

The UK Home Office Report into forced marriages of British girls of South Asian parentage distinguishes between 'forced' and 'arranged' marriages. In arranged marriages, the initiative is taken by the parents of the couple, but consent is required from both partners and either has the right to withdraw. However, the pressures from parents may be very high, and the younger the bride or groom the less real chance there is to exercise this right. Both types of marriage indicate the degree to which many societies view marriage as a family affair in which the views of people other than the couple are given priority. Parents' views will override children's, and men's will override women's – even taking precedence over the law.

Cases of runaway brides highlight the issue of consent – or lack of it. In Pakistan, the Commission on the Status of Women reported in 1989: "Men are constantly fighting to retrieve their women because they have run away".[9] There are reports of young wives being locked up by their husbands in India, and in Zimbabwe it is often forbidden for a young bride to visit her own family until she goes there to give birth to her first child.[10] In one tragic case in Nigeria, a 12-year-old girl unhappy with her new husband ran away so often that he cut off her legs to prevent her absconding. She subsequently died.[11]

The CRC Committee has focused on laws and customs in its observations to a number of countries. Its most common complaints are low minimum age for girls and disparate – therefore discriminatory – marriage ages for girls and boys.

The Impact of Early Marriage on Children and on Society

Young girls may endure misery as a result of early marriage and the number of those who would seek help, if they thought it existed, is impossible to calculate. Until more is known about their situation there can be no reliable estimates of the scale of their predicament, or of the social damage that is carried forward in the upbringing they give to their own children.

One thing is clear: the impact of early marriage on girls – and to a lesser extent on boys – is wide-ranging. Within a rights perspective, three key concerns are the denial of childhood and adolescence, the curtailment of personal freedom and the lack of opportunity to develop a full sense of selfhood as well as the denial of psychosocial and emotional well-being, reproductive health and educational opportunity.

Early marriage also has implications for the well-being of families, and for society as a whole. Where girls are uneducated and ill-prepared for their roles as mothers and contributors to society, there are costs to be borne at every level, from the individual household to the nation as a whole.

Psychosocial disadvantage

The loss of adolescence, the forced sexual relations, and the denial of freedom and personal development attendant on early marriage have profound psychosocial and emotional consequences. The impact can be subtle and insidious and the damage hard to assess. It includes such intangible factors as the effect of a girl's loss of mobility and her confinement to the home and to household roles. Obviously there is a marked lack of data in these areas, and social researchers have failed to examine the impacts of early marriage in this context.

Most girls who are unhappy in an imposed marriage are very isolated. They have nobody to talk to as they are surrounded by people who endorse their situation. In Ethiopia, Inter-African Committee researchers were struck by the lack of interest from elders in the traumas suffered by young girls as a result of early marriages, premature sex and childbearing. These traumas were regarded as an "unavoidable part of life".[12] Girls who run home to their parents may be beaten and sent back to their husbands. Distress is generally endured in silence.

Indian researchers on child marriage in Rajasthan and Madhya Pradesh state that girl spouses suffer more than boys: "Inadequate socialization, discontinuation of education, great physiological and emotional damage due to repeated pregnancies devastates these girls." If the husband dies, even before consummation, the girl is treated as a widow and given in *nata* to a widower in the family. Officially she is then his wife, but in fact under the practice of *nata* she becomes the common property of all the men in the family.[13]

The child bride who is widowed very young can suffer additional discrimination. Widows suffer loss of status and they, along with their children, are often denied property rights, and a range of other human rights. In parts of Africa, a widow is remarried to a brother-in-law, a custom known as *levirate*, originally intended, in part, to provide economic and social support. If the widow resists, she may be cast out by the family. Child widows with little education and no means of earning are especially powerless. At a 1994 Conference in Bangalore, India, participants told of being married at five and six years old, widowed a few years later, and rejected by their in-laws and their own families.[14] These widows are, quite simply, left with no resources and nowhere to go.

Adolescent health and reproduction

The notion of good reproductive health covers all aspects of the reproduction process – including a satisfying and safe experience of sexual relations, the capability to reproduce, and the freedom to decide if and when to bear a child.[15] The right not to engage in sexual relations and the right to exercise control over reproduction may both be violated by early marriage.

Sexual relations

In the case of girls married before puberty, the normal understanding between families is that there will be no sexual intercourse until first menstruation. In Gojam,

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Ethiopia, husband and wife may grow up playing together in the house of his parents. In this case, the mother-in-law must protect the girl from any advances by her son.[84] This is also true in West African countries.[85] However, this protection may fail, especially where the husband is much older than the girl. Cases of forced intercourse by much older and physically fully developed husbands with wives as young as eight have been reported.[86]

For the vast majority of under-educated rural adolescent girls in the developing world, marriage remains the likely context for sexual intercourse.[87] And while an unmarried teenage girl may find it difficult to resist unwanted sexual advances, her married sister may find it impossible.

Researchers have tended to focus on adolescent sexuality outside marriage, or have made no distinction between married and unmarried adolescents. This means that there are only limited data about sexual experience among married adolescents; the assumption prevails that sex within marriage is a *priori* consensual. A 1997 study among women in Calcutta found that half had been married at or below the age of 15, and that this group were highly vulnerable to sexual violence in marriage. In 80 per cent of cases where these young wives informed their husbands of their unwillingness to endure sexual violence, they were ignored.[88]

Pain and trauma are enhanced where girls have undergone some form of FGM, especially where this has been undertaken recently, and especially in the case of infibulation which is designed to make penetration difficult. Problems may be exacerbated after childbirth. In many societies, and in many millions of individual cases, women have no choice but to resume sexual relations within two or three days of childbirth, even if there has been vaginal cutting during delivery, and regardless of the pain it causes.[89]

Access to contraception and reproductive health advice

Very few girls in early marriages in developing countries have access to contraception; nor would delayed pregnancy necessarily be acceptable to many husbands and in-laws.[90] Indeed, in many societies, childbearing soon after marriage is integral to a woman's social status. In Yemen, 11 per cent of wives aged 15-29 stated that they did not use contraception because of their husbands' opposition.[91] In almost all Asian countries the family exerts strong pressure on the newly-married couple to begin childbearing quickly.[92] In Cameroon, Mali and Nigeria, the modern contraceptive usage rates among married 15-19 year olds are only 1.5, 2.4 and 0.6 per cent respectively.[93] The girls' right to have any say over when and if they should become pregnant is unacknowledged, and their chances of early pregnancy are high. Analysis of DHS data indicates that the first birth usually occurs within 14-26 months of marriage, although it may be slightly longer where age of marriage is very low, as in Bangladesh.[94]

Teenage girls are also more susceptible than more mature women to sexually-transmitted infections (STIs), including HIV. This is the result of both biological factors, such as hormonal fluctuations and the permeability of vaginal tissue, and social factors, such as skewed power relations between women and men that make it difficult for girls and young women to negotiate safe sex. STIs can lead to infertility, and in the case of HIV, the outcome is premature mortality and risks of transmission to the foetus. In a recent study in Rwanda, 25 per cent of girls who became pregnant at 17 or younger were infected with HIV, although many reported having sex only with their husbands. According to the study, the younger the age at sexual intercourse and first pregnancy, the higher the incidence of HIV infection.[95]

As far as preparation of both girls and boys for sexual and reproductive life is concerned, there has been deep resistance in many developing countries to sex education in the classroom for fear of promoting promiscuity. The threat of HIV/AIDS has reduced this opposition to some extent, but there is little prospect at present of girls receiving education on what to expect, or about their rights in terms of marriage or reproduction. Moreover, classroom education does not reach children who are not in school. For example, according to data from Sri Lanka published in 1990, one-third of young adults between ages 16 and 24 did not know the duration of a normal pregnancy. Less than 5 per cent had discussed reproductive health with their parents.[96]

There are still a number of countries where reproductive health services are barred to adolescents, or require them to have reached a certain age.[97] This excludes many married adolescents in countries such as Zambia or Bangladesh where age limits are in force – another of the anomalies surrounding early marriage.

Pregnancy and childbirth

The risks of early pregnancy and childbirth are well documented: increased risk of dying, increased risk of premature labour, complications during delivery, low

Nepali Children's Views on Early Marriage

During research commissioned by Save the Children Fund (UK), girls aged between 14 and 17 from different ethnic groups and castes in two villages in Surkhet District, Nepal, made the following observations on early marriage:

"My sister was married at 14 years old. She appealed to the school to stop the marriage, but to no avail." 14 year old girl

"My parents married me to a man in Lekh. I had to work very hard but my parents-in-law didn't recognise this. My husband beat me, so I don't like to go to his house even though he will come to take me. I want to go to school." 14 year old girl.

"I married due to my father's pressure. I gave birth to a son, yet my family members encouraged me to go to school. I study more than others do. So my husband's family members respect me." 17 year old girl.

The girls were aware that early marriage was dangerous from a health perspective, that early pregnancy could threaten the health – even the lives – of mother and baby.

Asked to give reasons for early marriage, the girls mentioned society's refusal to accept unmarried pregnancies and sex outside marriage; failing school exams; neighbours' gossip; the heavy workload in their parents' home and the dream of love, good food, nice clothes and seeing new places after marriage. Many girls felt that marriage and motherhood would provide them with safety, a sense of security and better status.

The girls felt that their value and status were low because they would belong to their husband's family and because daughters do not inherit parental property. They all said they had been happy until the age of 10 because they could play as they liked without any work or restrictions on their mobility. Now they wanted to continue their studies but found it hard to do so due to their heavy household workloads.

From report of research conducted by Indu Gautam for Save the Children (UK) in Surkhet, Nepal, December 1998-January 1999. (www.savethechildren.org.uk/development/rrg_pub/nepalgenderreport.htm)

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birth-weight, and a higher chance that the newborn will not survive.[108]

Pregnancy-related deaths are the leading cause of mortality for 15-19 year-old girls (married and unmarried) worldwide. Mothers in this age group face a 20 to 200 per cent greater chance of dying in pregnancy than women aged 20 to 24. Those under age 15 are five times as likely to die as women in their twenties.[109] The main causes are haemorrhage, sepsis, pre-eclampsia/eclampsia and obstructed labour. Unsafe abortion is the other major risk for teenage women – most of those affected are unmarried.[110] Some specific local studies show worse outcomes for the very young mother: in Zaria, Nigeria, maternal mortality among women younger than 16 was found to be six times higher than for women aged 20-24, and similar findings have been reported from Cameroon and Ethiopia.[111] For every woman who dies in childbirth, 30 more suffer injuries, infections and disabilities, which usually go untreated and some of which are lifelong.

Part of this heavy toll has more to do with poor socio-economic status and lack of ante-natal and obstetric care than physical maturity alone.[112] However, physical immaturity is the key risk for the under 15s. High rates of Vesico-Vaginal Fistula (VVF) are clearly identified with marriage and childbearing in the 10-15 year-old age group; in one study in Niger, 88 per cent of women with fistula were in this age group at marriage.[113] Mothers whose pelvis and birth canal are not fully developed often endure very prolonged labour.[114] Unless the mother receives emergency obstetric care, relentless pressure from the baby's skull can damage the birth canal, causing breakages in the wall, allowing uncontrollable leakage from the bladder into the vagina. The same problem may also occur in relation to the rectum, with leakage of faeces (recto-vaginal fistulas, or RVF).

Fistula conditions are permanent without surgical intervention to re-seal the tissues,[115] such intervention may not be sought or may be hard to access. There is some evidence from Nigeria that FGM practices that damage the vagina may also increase the likelihood of VVF.[116] The prevalence of VVF/RVF is not fully known, but WHO estimates that there are two million women living with fistulas and an additional 50,000-100,000 new cases every year, many of which go untreated.[117] A girl with the condition is usually ostracized as unclean, and is often divorced. In Nigeria, where the condition affects around 150,000 women, 80-90 per cent of wives with VVF are divorced by their husbands;[118] in Niger VVF is the reason for 63.3 per cent of all divorces.[119]

Infant and early childhood care

The health problems linked to early marriage not only affect the pregnant mother and the foetus, but also continue after childbirth. Evidence shows that infant mortality among the children of very young mothers is higher – sometimes two times higher – than among those of older peers.[120] A stronger likelihood of low birth-weight in the infant has been recorded among adolescent mothers than among older peers. This is mainly associated with poor maternal nutrition, reinforcing the point that adolescents are 'unready' for childbirth. Low birth-weight babies are 5-30 times more likely to die than babies of normal weight.[121] If a mother is under 18, her baby's chance of dying in the first year of life is 60 per cent higher than that of a baby born to a mother older than 19.[122] A 1993 survey among women married young in Rajasthan found that 63 per cent of their children under four were severely malnourished.[123]

The immaturity and lack of education of a young mother undermines her capacity for nurture. Even children are able to work this out: it was one reason given by Nepali children for avoiding early marriage, as shown by Save the Children research.[124]

Future maternal health and childbearing

Finally, early marriage extends a woman's potential childbearing capacity, which itself represents a risk to mothers.[125] Not until the 'demographic transition' is relatively advanced, child survival adequately assured, and education valued, do families see the births of many children as a drain on resources rather than an asset. Until that time, women are under pressure to produce large numbers of children.

Population and family planning policies since the 1970s have tried to reduce large family size, focusing on the social, economic and environmental costs to countries that lack the resources to ensure a good quality of life for their rapidly growing populations. In this light, early marriage can be said to have profound social and economic consequences for society as a whole. These consequences are reinforced by the fact that the children of young and illiterate mothers tend to face the same cycle of childhood deprivation and damage experienced by their mothers.

The denial of education

Early marriage inevitably denies children of school age their right to the education they need for their personal development, their preparation for adulthood, and their effective contribution to the future well-being of their family and society. Indeed, married girls who would like to continue schooling may be both practically and legally excluded from doing so.

The interaction between the number of years of a girl's schooling and the postponement of marriage is firmly established by demographic and fertility studies. On average, women with seven or more years of education marry four years later and have 2.2 fewer children than those with no education.[126] However, the precise nature of the interaction between education and marriage is not always evident. Are girls withdrawn from school to marry, or is lack of schooling for girls part of the pattern of traditional expectations and roles? The situation in Bangladesh, however, is clear – a girl will be withdrawn from school if a good marriage prospect arises.[127] DHS data also show a clear link in some other countries, including Nepal, Kazakhstan and Indonesia.

Although attitudes towards the education of girls have begun to change even in traditional societies, many parents still believe that investment in a girl's education is wasted when she is simply going to be married and work in another household. The costs of the investment in education reinforce the impetus towards the girl's withdrawal from school.

In rural areas, secondary education often means that a girl must leave home to live in a school dormitory. Parents fear that this may expose her to risks including premarital sex and pregnancy. In Northern Nigeria, for example, girls are often kept out of school for this very reason.[128] Even where girls can live at home while attending school, fears about their possible sexual activity, about sexual harassment, or about insecurity on the journey to and from school, discourage their attendance.

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The removal from school of a young girl to marry, or to work in her parents' or another household in preparation for married life, limits her opportunities to develop her intellect. She also loses out on socializing, making friends outside her family circle, and many other useful skills. This reduces her chances of developing her own independent identity. Indeed, in the old patriarchal view this is an important reason for taking her away.

The most important implication of this loss is that the girl grows up with no sense of the right to assert her own point of view – and little experience in articulating one. Lack of self-esteem or of a sense of ownership of her own body expose a woman to unwanted pregnancy and make her vulnerable to HIV infection. A typically submissive wife in, for example, Eastern Africa is not in a position to refuse sex to her husband, even if he has other sexual partners and she suspects that he may be infected with HIV. A woman has the right to refuse sex in any circumstances,[129] but few young brides will ever gain enough self-confidence or self-esteem during the course of their marriage to assert such a right.

Lack of schooling also means that those girls and women who must work to earn a living have no qualifications or skills. Illiterate women who are abandoned, widowed or divorced, or who are victims of growing urban poverty, are forced into commercialized versions of their work as wives: cleaning, cooking, child-minding. They may even enter the commercial sex trade. In many Latin American countries (and elsewhere), there is a strong link between very poor, women-headed households in urban areas and menial occupations[130] – an association that will only diminish when educational levels are raised.

But work itself can have a positive impact on delaying marriage. A study in Penang Island, Malaysia, found that those women who worked before marriage tended to marry almost 2.5 years later than those who had never worked at all.[131]

Where work and education opportunities have opened up for women, this has had the effect of encouraging parents' support for their daughters' education. Increased enrolment of girls in school and higher levels of educational completion have been conclusively shown to produce improvements in family well-being, increased use of contraception, reduced infant mortality and economic advantages for society.[132] Marriage age is part of a wider picture of interaction between economic advance and increased participation of women in education.

Violence and abandonment

The UK working group on forced marriage found that many of the victims of this practice suffered from prolonged domestic violence, but felt unable to leave the marriage because of economic pressures, lack of family support and other social circumstances.[133] Many cases of self-harm and suicide among British women of South Asian origin were thought to be linked to forced marriage. If a woman did feel able to challenge the situation, it often took her years to do so. If this is happening in a society where forced marriage is not the norm, it is safe to assume that such a challenge is far less likely from a girl in an environment where early and forced marriages are commonplace.

Most available information on violent abuse is anecdotal, consisting of interviews with girls who have suffered trauma as a result of their marriages. However, DHS data from Egypt has found that 29 per cent of married adolescents have been beaten by their husband (or husband and others), and of these 41 per cent have been beaten during pregnancy.[134] A study in Jordan, published in 2000 found that 26 per cent of reported cases of domestic violence were committed against wives under 18.[135] Some girls in brutal marriages become desperate enough to run away.[136] Those who do so, and those who choose a marriage partner against the wishes of their parents, may be punished, or even killed by their family. These girls run the risk of the so-called 'honour killings' that occur in Bangladesh, Egypt, Jordan, Lebanon, Pakistan, Turkey and elsewhere.[137]

Early marriage is often linked to wife abandonment, as shown by its association with divorce and separation.[138] Violent behaviour towards a wife, including coercive sex, plays a major role in marital breakdown. In Java, it has been found that girls who marry early are three times more likely to be divorced than those married later.[139] A study in Calcutta found that sexual violence in marriage is associated with a greater likelihood of separation than physical violence alone.[140]

Divorce or abandonment often plunges a woman into poverty, as she usually assumes sole responsibility for dependent children. If she married young, is under-educated and has few income-generating skills, her poverty may be acute. Studies of young mothers in Latin America and the Caribbean found that they are more likely to be disadvantaged later in life; in Mexico they are six times more likely to be living in poverty than those who postponed childbearing.[141] Thus early marriage contributes to the 'feminization of poverty' and its resulting impact on children.

Taking Action

A range of policy and programmatic actions are needed to reduce early marriage and its impact. Actions to fulfil or restore the rights of those already married should go hand in hand with preventive actions aimed at wider society. In either case, the aim should be to inform parents and young people currently complicit in the practice of early marriage so that they are aware of its true implications and empowered to resist it. The role of government and civil society institutions is to develop and implement suitable systems to prevent or discourage the practice.

While the main actors helping those directly affected will operate at household and community level, the involvement of national and international policy-makers and rights advocates is essential in order to change the policy and programme climate. Over the entire action spectrum, a wide variety of actors must be engaged, including teenagers themselves, adult women and men, community leaders, politicians, policy-makers, academics, researchers, lawyers, the media, and

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national and international non-governmental and intergovernmental bodies.

While prevention measures are essential, efforts must be made to ensure that all of the following interventions are available to married, as well as unmarried girls.

Support for physical well-being

This is primarily intended to maintain sexual and reproductive health, starting by ensuring that both girls and boys learn about sex, reproduction and the related risks at an early age. Information should replace 'ignorance plus early marriage' as the child sexual protection strategy.

Proposals that adolescents – male and female – should be given sex education and have access to reproductive health services, have often been greeted with resistance. In a number of African and Asian cultures, there is reticence about, or an actual taboo on, the discussion of sex. This feeds fears that sex education will encourage early sexual relations and pregnancy. The work of UNAIDS has demonstrated such fears to be unfounded, and that sex education does not lead to promiscuity. All the same, such misconceptions take time to overcome.

Evidence shows that silence about sex does not inhibit teenage pregnancy in countries where old-style sexual protection systems are breaking down and HIV now poses a serious threat to the lives of girls. More than half of new HIV infections occur in 15-24 year olds, but girls become infected at twice the rate of boys.[12] More countries are now willing to include sex and family life education in the school curriculum as a means of combating HIV, and this growing acceptance needs reinforcing, as do youth-focused programmes on this issue.

However, concern with teenage vulnerability to HIV has centred on those who are in school or leading lives that expose them to risky sexual activity. This invariably excludes girls who are married. Yet they, too, are vulnerable, and need to be able to adopt systems of self-protection where they fear their husbands are infected or could be exposed to HIV. Unlike most of their unmarried peers, married girls are exposed constantly to sex, and may be more prone to STIs.[13]

In these circumstances, there is an urgent need to transform attitudes and approaches towards adolescent health care and provide services that are accessible to married and unmarried youngsters of both sexes. Life skills education for sexual health and negotiation needs to be provided in the classroom, in youth clubs and through newsletters and radio programmes. The experience of the Nuguru Teenage Health Information Service in Kampala, Uganda, shows the appetite of young people for information about sex-related problems.[14]

Teenage Health Information Service, Uganda

When the Nuguru Teenage Health Information Service began in Kampala, Uganda, in 1994, its main concern was teenage pregnancy. It quickly became clear that young people need other sexual and reproductive advice and that the service was revealing a real need: it was deluged by clients aged between 10 and 24-years-old.

Their most common concern has been how to avoid STIs including HIV. But a high proportion of young people simply want to talk about changes in their bodies or matters of personal hygiene – acne for example. Counselling about relationships is also in demand, as is information about contraception.

Nuguru runs a weekly radio programme focusing on topics they know to be of high interest to their young audience. The daily clinic is packed with clients, 30-40 of whom are newcomers. Trained teenage volunteers provide most of the back-up staffing.

Such a service may only rarely be of use to girls threatened with early marriage, many of whom are beyond its reach. But it illustrates young people's desire for information and help as they journey through their sexual development.

Source: Project visit, Maggie Black, September 2000.

In many developing countries, lack of resources makes contraception and reproductive advice inaccessible. This situation may be exacerbated by religious beliefs that disapprove of artificial birth control methods. The result is that many adolescents, both married and unmarried, find it difficult to locate, or even seek, help about sexual matters. There may be few facilities offering such support, particularly in remote rural areas. The poorest often lack the resources to travel to these facilities and any fees charged for the services on offer would push them even further out of reach. In some cases, the ante-natal clinic is the only place where a young woman can obtain reproductive advice, but pregnancy is a pre-condition. Contraception may not be offered to married women until they have borne a child. There is an urgent need for 'youth friendly' health services, as adolescents are unlikely to seek help about sexual matters from a service that is unsympathetic to their needs and anxieties.

Girls aged 15 to 19 give birth to 15 million babies a year.[15] Many of these girls give birth without attending an ante-natal clinic or receiving the help of a professional midwife. It is essential to devise programmes to reach girls in and out of marriage with reproductive advice and services – a particular challenge in the remote rural areas where most early marriages are to be found.

Education for empowerment and intellectual development

The key to girls' progress is education and learning. Persuading parents to keep their daughters in school and ensuring that they receive a basic education, as is their right, is important for a number of personal and family, as well as wider social and economic, reasons including postponement of marriage. Both Sri Lanka and the state of Kerala in neighbouring India have relatively high age of first marriage. They also have something else in common that has contributed to this phenomenon: both have given high priority to education for women as well as men. This has changed the way men and women perceive their roles and potential, and has led to greater support for the rights of women than is found in many other parts of this region.

Where girls have lost out on formal education, non-formal programmes can help them catch up on the intellectual and personal growth offered by schooling. Such programmes can have a direct impact on early marriage: a programme from the 1990s among the people of the Samburu district in Kenya led to a fall in early marriage and helped women assert themselves.[16]

While there has been a recent drive to increase participation of girls in basic education, the more significant gender gap is at the secondary level. Throughout the developing world, with the exception of Latin America and the Philippines, boys have higher rates of secondary school enrolment. The decline of girls' enrolment and attendance after age 12-13 is most marked in sub-Saharan Africa. In Tanzania, for example, enrolment of girls and boys is equal at age 12-13 but by the age of 16-17 girls' attendance is only 71 per cent of boys'.[17]

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Attempts to close gender gaps in education have included approaches to make schools more girl-friendly. These include building schools close to communities so that parents are less worried about their daughters' safety; employing more female teachers; improving the relevance of the curriculum and the quality of teaching; flexible schedules to allow girls to meet domestic responsibilities; in-school child-care facilities; penalties for male teachers who seduce girl students; and separate sanitary facilities for boys and girls.

Other strategies to increase girls' schooling include cash incentives for parents to keep their daughters in school; the expansion of non-formal education for girls who have left school; the involvement of communities in running schools; and conducting communication campaigns on the importance of girls' education.

Where such efforts are made, resistance to girls' education can crumble surprisingly easily, even in highly traditional environments. In the Baluchistan province of Pakistan, where the female literacy rate is only 4 per cent, 300 new village schools have enrolled 14,000 girls, and a mobile teacher training unit trains women with 8-10 years of education *in situ*, so that girls and their new female teachers do not have to leave their villages.[18] This illustrates an essential pre-condition for success: an approach that matches particular social, economic, geographical and cultural circumstances.

In schools and in non-formal education programmes there is a growing emphasis on 'life skills' to equip girls and boys to negotiate personal relationships. Life skills curricula aim to equip young people with the skills they need to cope in a world with new risks and temptations – alcohol, drugs, freer sexual codes – and much greater political and economic instability than in the past. Empowering young people to run their own lives is at the heart of the life skills approach.

In Bangladesh, NGOs working with both school-going and out-of-school youth include adolescent rights in their course content, as well as reproductive health, early marriage, dowry, marriage registration and divorce processes.[19] One innovative programme run by the Centre for Mass Education in Science (CMES) offers girls life-oriented education to enable them to recapture the adolescence they have lost. After graduation, they are encouraged to attend meetings, develop leadership skills, and avoid marriage until at least the age of 19. Because support from men is required, boys and husbands have been invited to take part in solidarity groups in a joint gender programme.

Formal Education: Bangladesh Secondary School Scholarships

On the assumption that financial constraints were the main reason for parents keeping their daughters out of school, a secondary school scholarship programme for girls was introduced in Bangladesh in the early 1990s.

Fees and free books were provided for the students, and their parents were given some compensation for the loss of their daughters' agricultural and household work. The school timetable was also adjusted so that school days were shorter.

One of the most striking results was a sudden increase in marriage postponement, as parents were required to sign a bond that their daughters would not marry before age 18. Parents responded to the incentives, partly because they knew that daughters with a better education would marry men who are better providers.

Source: Arends-Kuenning, Mary and Sajeda Amin: The Effects of Schooling Incentive Programs on Household Resource Allocation in Bangladesh, *Policy Research Division Working Paper No. 133, Population Council, New York, 2000.*

Non-formal Education: Egypt's New Horizons Programme

Many rural girls in Egypt have no chance of formal education because their parents want them to work. The 'New Horizons' programme was developed in 1997 to give these girls a chance to gain self-esteem, confidence and life skills.

The programme, designed by curriculum specialists and local NGOs, consists of 100 carefully structured sessions to provide information about life skills – rights and responsibilities, nutrition, health, first aid, reproductive health, adolescence, marriage and violence against women. The local educator uses simple materials and methods including posters, song, drama and discussion.

Girls involved in the programme have expressed enthusiasm to learn to read and their parents have become supportive. Attitudes towards the respective value of boys and girls have begun to change, and enrolment rates of girls in primary school have risen. Nearly 15,000 girls have benefited, and have taken their new ideas home to their mothers, helping them to discover their rights.

Source: Centre for Development and Population Activities (CEDPA), Washington

Involving Boys in Pakistan

An innovative project in Pakistan empowers adolescent boy scouts to promote and protect children's rights, including the girl's right to education – a key defence against early marriage. The project encourages them to take action to promote and protect the rights of others, particularly girls, increasing their understanding of social responsibility. After training, each boy collects data from 10 neighbouring households on health, sanitation and the educational status of the children. In return, they provide each household with information on various issues, including the importance of education for girls. They then monitor the progress of each household. The project is being piloted in one province. If successful, it is hoped that 10,000 boy scouts will eventually reach 100,000 households and more than 500,000 people.

Source: Innocenti Insight: Promoting Children's Participation in Democratic Decision-Making, *Gerison Lansdown, UNICEF Innocenti Research Centre 2001*

Support for psychological well-being and emergency assistance

Very often, the only option for girls and women in situations of extreme marital stress is to run away. In countries such as Bangladesh, Ethiopia, India and Kenya, many runaways end up in poor urban communities, including brothel communities. Some local NGOs working in this field have begun to assist such girls and women, but their efforts are generally confined to towns and cities.

Girls who run away from unhappy marriages need emergency support, as do those running away from parents forcing them into an unwanted marriage, or punishing them for entering a partnership without their permission. In Kenya, for example, an enterprising Maasai woman helps such girls find refuge in the boarding school she has created in the town of Kajiado. Their rescue is often organized with the help of mothers who are willing to brave the stigma of supporting them.[20]

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Community-based and women's groups provide the best services, but they often lack support from traditional institutions, are poorly funded, and may have to operate in secrecy – attacked for undermining cultural values.[151] While women and girls facing violence and abuse in industrialized countries may have access to refuges, counselling and other kinds of support, these services are rare in countries such as Ethiopia, Bangladesh or Pakistan. However, some organizations do exist in the developing world to offer shelter and counselling to women who have run away from violent marriages. In Zimbabwe, for example, the NGO Musasa provides counselling, temporary refuge, employment support and helps women establish their own independence.[152]

Many girls, of course, do not run away. But those girls and young women who remain in their marriages can benefit from the support of others through peer counselling, local women's groups and so on.

Support for improved economic status

Early marriage is closely associated with, and contributes to, poverty. Some interventions on behalf of adolescent girls have focused on improving their economic situation as a means of granting them higher status and more control over their lives – including their options in marriage. Approaches may include training in livelihood skills, support for teenagers in the labour market and ensuring that marriage is not a pre-condition for eligibility for schemes such as microcredit programmes and savings clubs.

In Bangladesh, young women's entry into the export garment industry has boosted their value in the eyes of their families and potential husbands. Despite long working hours and harsh conditions, most garment workers can negotiate some autonomy with their own families as a result of earning, while expecting to marry in due course. Later on, their experience of financial self-reliance gives them greater confidence as wives.[153]

A programme in Egypt for the girls of the Maqattam garbage settlement outside Cairo has enhanced their income-earning capacity while helping them to resist early marriage. Rug-making, paper recycling, and embroidery projects allow them to escape from garbage sorting and gain skills, an income and self-esteem. To encourage delayed and consensual marriage, a sum of E£500 (US$132.45) is offered to any girl who defers her marriage until age 18, and who enters marriage of her own free will.[154]

Postponing Marriage in India

An ambitious programme is underway to increase the value placed on girls in India, and thereby indirectly increase their age at marriage. The governments of Rajasthan, Karnataka and Haryana have established an incentive programme for low-income families. In Haryana, for example, a small sum of money (Rs.2,500, or US$78) is set aside in a savings account for a girl at her birth. At the age of 18, if she is still unmarried, the girl is eligible to collect the accumulated sum of Rs. 25,000.

This economic incentive to keep girls alive and postpone their marriage is supplemented by support for girls' education. The intention is to encourage parents to postpone marriage until daughters reach 18 and can use the grant for their dowry.

Source: The Uncharted Passage: Girls' Adolescence in the Developing World, *Barbara S. Mensch, Judith Bruce, Margaret E. Greene, The Population Council, 1999.*

At the wider social level, increased family income contributes to the reduction of early marriage. A better standard of living releases resources for girls' education, and reduces dependence on daughters for labour. The promotion of employment opportunities for women in non-servile occupations also helps to promote girls' education and postpone marriage. The development of community structures for managing basic services, such as health, helps to erode traditional practices related to women. In Niger, for example, these have been used as a mechanism for campaigning against FGM and early marriage.

Legal change

Every year, around 40 million births – one third of the world total – go unregistered.[155] Without a birth certificate, a child has no defence against age-related rights abuses. In countries where the law on legal minimum age at marriage is ignored, the inadequacy of birth registration systems reinforces early marriage.

Similarly, thousands of marriages go unregistered, depriving women of their rights in marriage, including their rights over property. Programmes to promote birth and marriage registration, via community structures and religious leaders, should be promoted. In parts of Indonesia, for example, registration of marriage is dependent on evidence that the marriage is neither forced nor polygamous and on attendance at a session on reproduction.[156]

Governmental action is required to review customary and civil law in the light of internationally agreed human rights standards on marriage. For example, restrictive laws concerning an adolescent's access to services such as reproductive health should be removed.

Existing laws should be enforced, and a rights culture fostered by providing appropriate training for the judiciary, lawmakers and the police.

At the international level, both the CEDAW and CRC Committees should continue to focus on age of marriage and consent, and insist that laws prohibiting early marriage be enforced. Attention should also be given to early marriage in follow-up work to the 1995 Fourth World Conference on Women, held in Beijing, the 2000 UN Special Session on Women

Legislation and Change in Sri Lanka

In Sri Lanka, where age at marriage has traditionally been low, average age at marriage is now 25 years. This country's success in raising marriage age has been driven by the introduction of legislative reforms requiring that all marriages be registered and that the consent of both marriage partners be recorded. Moreover, Sri Lankan courts have ruled that specific cases of non-consensual marriages arranged by parents on behalf of their children are invalid. Underpinning these broad initiatives, which apply to Sri Lankan citizens of any religion, is a legal argument that Islamic law recognises the importance of consent to marriage. There are texts in Islamic law that indicate that parental authority in relation to the marriage of a daughter does not permit complete disregard of the child's welfare, and that accept the requirement of obtaining a child's consent to marriage. The positive impact of these legislative changes have been supported by social policies on health and education (including free education from primary to university level) to create an environment in which the practice of early marriage is in steep decline.

Source: Children, Law and Justice. A South Asian Perspective, *Savitri Goonesekere, UNICEF-ICDC, Sage Publications, New Delhi, 1998, p 117 & 324*

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(Beijing+5) and in international proposals for legal action to prevent violence against women. Action on early marriage should be included in the National Plans of Action for follow-up on the commitments made at the numerous world conferences of the 1990s.

Advocacy

Marriage is regarded as a private, even sensitive subject. In many societies in Asia and in Africa, it has traditionally been unthinkable to discuss sexual relations even between husband and wife. However, changing lifestyles and the HIV epidemic have begun to erode these taboos. Adolescents are demanding the right to know about, and talk about, intimate matters.

Creating the circumstances in which such subjects can be addressed, especially in traditional rural societies and ethnic groups where early marriage is common, is a vital pre-condition for hastening its end. Advocacy is needed at all levels of society, but particularly at household and community level, to influence attitudes. The benefits of postponing marriage for wives, husbands, families and communities need to be shared with religious and community leaders, while those who exert role model influence, as well as government personnel, need to be engaged.

A survey conducted by the UK working group on forced marriage, for example, found that one of the main motivations of parents who force their daughters into marriage was the desire to strengthen families and protect their cultures. In fact, the evidence indicates that the opposite often occurs, with families breaking apart and children turning against their cultural background.[17]

Public education campaigns must reinforce activity in schools and health facilities. Emphasis should be on the need to protect and support the adolescent period, especially by keeping girls in school. Governments should be encouraged to create a policy climate that supports later marriage, through scholarship provision, legal reform, and affirmative policies and programmes on behalf of women. Efforts to improve participation of women and girls in civic and public life and to give them equal access to training and employment opportunities, can enhance their status and thereby decrease the likelihood of early marriage.

National advocacy campaigns can take various forms:

- Campaigning to raise the legal age of marriage; or – more importantly – ensuring implementation of the legal age of marriage, building on recommendations made at the 2000 UN Special Session on Women (Beijing+5);
- Promoting an effective system of registration of births, marriages and deaths;
- Setting up small-scale studies into the implications of early marriage and publication of the findings of such studies;
- Using national and international Women's Days to raise awareness; via social mobilization involving women's networks, opinion leaders at the national level, politicians and community leaders;
- Working with the media and other communication channels to emphasise female rights, including equality, access to education, and freedom from exploitation and discrimination;
- Working with men to promote attitudinal change.

International organizations, both intergovernmental and NGO, can and do support such advocacy programmes through funding and technical advice in the various specialist areas. But there are still relatively few initiatives of this kind and more are needed. The CRC and CEDAW treaty bodies should monitor early marriage in a systematic way, so that organizations using these treaties as programme and policy benchmarks could draw on their observations to support policy change and enhance their own programmes.

However, the lessons learned from initiatives on other sensitive issues, such as FGM, is that they are most effectively addressed at a local level. International activity is primarily useful for coordinating, comparing and synthesizing country activities, and for networking. External assistance is best channelled through local activities and it is important that sensitivities are respected. Heavy-handed advocacy by outsiders with different outlooks and customs – even those of the same nationality – can be counter-productive.

Burkino Faso: Finding Refuge

Around Ouagadougou, the capital of Burkina Faso, three Catholic religious centres shelter girls who have run away from forced early marriage. Many of the girls escape in dangerous conditions, travelling for days to reach the centres, hiding in trees during daylight hours and walking at night. Both economically and psychologically, their situation is grave. Their families usually disown them so they are without moral or financial support; and the religious sisters may pressure them to join the orders where they take refuge. Puksata, a local NGO in Burkina Faso, works with the centres to provide the girls with vocational training, and mediates between the families and the girls.

From: Ouattara, Mariam, Purna Sen and Marilyn Thomson (1998), Forced Marriage, Forced Sex: the Perils of Childhood for Girls, *Gender and Development, Vol. 6, No. 3, Oxfam*

THE NEED FOR RESEARCH

At present, there is a serious lack of data on all aspects of early marriage. As this Digest has underlined, the sources of information that do exist have examined early marriage in terms of demographic trends, fertility, and educational attainment. There are as yet very few studies that have examined the practice from a human rights perspective, in terms of trends or its impact on wives, husbands, families, or the wider society. These gaps need to be filled urgently, since data must inform policies and programmes and provide a basis for effective advocacy. Parents confronted with the kind of evidence gathered in the UK working group study cited above, for example, may begin to view the practice differently.

Existing demographic data may be disaggregated and used in ways that tell us more about the prevalence of early marriage. But special studies are also needed to examine trends, extent, impacts, and effective responses. There are grounds for believing that the practice is under-reported in areas where it is known to occur, especially for children under 14, who are

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virtually invisible in standard data recording. And there are grounds for believing that it is rising in highly stressed populations – contrary to general trends. More indicators may be needed for use in standard surveys; and existing research methodologies should be assessed for their usefulness in capturing necessary data.

New methodologies may also be needed to enable NGOs with access to rural communities and to communities under stress to conduct small-scale qualitative research, in which local people, including adolescents, participate. The absence of data on the psychosocial impact of early marriage on children, and the ways in which this interacts with wider social, political and economic consequences, is in particular need of remedy. Other aspects of early marriage requiring research include:

- Prevalence, especially among subgroups whose marriage characteristics are submerged in national data, disaggregated by age and sex.
- Social and economic determinants influencing the age of marriage, particularly those that cause it to rise. Comparative case studies of situations where early marriage is declining instead of increasing will help to identify these determinants.
- Evaluation of the impact of early marriage: psychosocial effects on the early married; social and economic impact on families and societies.
- Early marriage in high stress situations brought about by war, HIV/AIDS, acute urban and rural poverty, and among refugee and displaced populations.

In conclusion

Early marriage of girls and boys impairs the realization and enjoyment of virtually every one of their rights. The imposition of a marriage partner on children or adolescents who are in no way ready for married life, and whose marriage will deprive them of freedom, opportunity for personal development, and other rights including health and well-being, education, and participation in civic life, nullifies the meaning of the CRC's core protections for those concerned. Unless measures are taken to address early marriage, it will continue to be a major stumbling block to the achievement of human rights.

This Digest is intended merely as a starting-point, drawing attention to a practice that has been neglected by both women's and children's rights campaigners in recent decades. It is hoped that it will provide an incentive for a campaign to prevent early marriage and end the silent misery of millions of girls in many countries around the world, to open up new horizons for them, and contribute to the development of policies, programmes and advocacy to bring this about.

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Working Towards Gender Equality in Marriage

by Dr Nafis Sadik, Executive Director, UNFPA.

Early marriage represents a major threat to a child's well being. While the practice affects both girls and boys, the most fundamental rights of a child bride – to survive, to develop – are undermined. She is left with little or no opportunity to influence her own sexual life or the number, timing and spacing of her children. It is only through the development of gender equality, both inside and outside marriage, that such rights violations can be overcome.

In some developing countries, half or more of all women marry or start a union before they reach age 18, and 70 per cent or more do so by the time they are 20. Sizable proportions even form unions before they are age 15.[1] And early marriage generally means early motherhood. In many developing countries, at least 20 per cent of women – and in some about 50 per cent – have had their first child by the time they are 18 years of age.[2]

The good news is that the age of marriage appears to be rising – most rapidly in Asia and in North Africa. In eight Asian countries, for example, data published in 1997 found that while 57 per cent of women aged 40-44 were married by age 20, only 37 per cent of those aged 20-24 were. In Northern Africa, the corresponding figures were 66 and 34 per cent. In Sub-Saharan Africa, where the prevalence of teenage marriage remains high, the figures were 73 and 59 per cent respectively.[3]

The bad news is that such statistics may disguise the continued practice of early marriage in certain areas or among certain population groups. And it seems that early marriage is increasing among populations under severe stress – in conflict situations, confronted by the HIV/AIDS epidemic, or facing extreme poverty.

At UNFPA we believe that 'population' is about more than numbers and statistics. It is about people. It is about helping young women fulfil their potential, ensuring their access to schooling, to reproductive health care, to a fair and equal chance in the workplace. It is about involving men in programmes to encourage responsible behaviour, including joint decision-making by spouses and male support for their female partners' choices. It is, essentially, about gender equality and equity.[4]

The perpetuation of inequality in early marriage

The imposition of marriage upon a young couple signals an effective end to their childhood or adolescence, and exposes a young wife to the grave risks associated with the physical dangers of early pregnancy and childbirth. In turn, the impact of early marriage and early pregnancy is visited upon her children: babies born to young mothers face much higher than average levels of morbidity and mortality.

Around 15 million young women aged 15-19 give birth each year, accounting for more than 10 per cent of all babies born worldwide.[5] Girls aged 10 to 14 are five times more likely to die in pregnancy or childbirth than women aged 20 to 24,[6] while girls aged 15-19 are twice as likely to die.[7] Many, if not most, of these deaths take place within marriage.

Back in 1990, world leaders at the World Summit for Children pledged to work to halve maternal mortality rates – then standing at around 500,000 each year – by the year 2000. Despite this commitment, some 585,000 women are now thought to die each year as a result of pregnancy or childbirth.[8] The reasons for the lack of progress are complex, but undoubtedly include the status of women in society, their economic disadvantage and the lack of respect for women's basic human rights.[9]

As well as threatening her right to life itself, early marriage almost inevitably marks the end of a girl's schooling. Her opportunity for individual development and growth is stifled, and her potential to become an autonomous, informed and empowered adult is compromised. Moreover, a girl may be exposed to oppression and violence (sexual and non-sexual) within marriage, but almost inevitably, she has no voice with which to protest.

Meeting the challenge

Moving Towards Gender Equality in Marriage

Marriage should be a voluntary choice for both partners. Equality is simply not possible when choice is absent. Choices that are in the best interest of the couple usually benefit from the maturity that comes with age. Raising the age of marriage will help both men and women arrive at more satisfying and successful married relationships, as well as reduce the girls' reproductive span and vulnerability to risky childbearing. At the same time, adolescence must be supported; both boys and girls need life skills and other means of self-protection to negotiate the passage from childhood to adulthood safely.

The right to make choices about one's own reproductive health is particularly important within the institution of marriage. It is a right that is shared by the couple; a right that is sometimes contested by tradition or claimed by others. Early marriage severely undermines the adequate exercise of this right.

A number of strategic actions are needed to address the phenomenon of early marriage:

Improving Data

Although early marriage is a matter of great concern, there is far too little concrete information on its prevalence or its impact. Consequently, the first requirement in addressing early marriage must be more research and more understanding. More effective advocacy and programming will follow.

One important strategy must be to improve data collection. Actions must be informed by knowledge, and for this reason, an essential first step is to ensure that existing data collection programmes – be they run by national governments, international organizations, or NGOs – are sensitized to the issue of early marriage. They should be encouraged to provide full information on the marital status of children and young people, disaggregated by age and gender. Comprehensive data such as these are essential for making significant progress in understanding the risks associated with, and the dynamics of, early marriage.

Changing Legislation

The legal situation on early marriage is complex. Marriage is legally regulated in all countries, but national legislation may bear no relation to the ages at which parents can and do marry off their children in practice.[10]

Changing legislation is, nevertheless, an important strategy. Legislation on its own may have only limited impact, but the very process of legislative examination and reform, together with related advocacy efforts, is an essential step towards lasting change. It is important, for example, that governments revise or enforce legislation regarding minimum age of mar-

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riage. This includes a serious examination of customary marriages that contravene existing legislation. Too often, for example, harmful traditional practices are allowed to continue in spite of laws that forbid them. Legislation needs to be re-assessed and enforced in the interest of the rights and health of young people.

The international precedent comes from two key human rights treaties: the Convention on the Rights of the Child, ratified by 191 Governments and the Convention on the Elimination of All Forms of Discrimination against Women, ratified by the Governments of 165 countries.

All countries that have ratified these treaties are obligated to modify their laws accordingly. In addition, countries that adopted the Programmes of Action agreed at the World Summit for Children in 1990, the International Conference on Population and Development (1994) and the Fourth World Conference on Women (1995) are expected (although not bound) to bring their legislation in line with these agreements.[11]

The International Conference on Population and Development (ICPD), for example, affirmed the right of couples and individuals "to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents."[12]

Changing Attitudes

Changing attitudes is the strategy that underpins all other efforts to end early marriage. Real progress will come from introducing and promoting initiatives to change attitudes towards the gender roles of girls and boys in general, and towards the practice of early marriage in particular. This means that societies must re-examine traditional gender roles. Marriage is a sensitive issue, but action on other sensitive issues, such as education for HIV/AIDS prevention, provide models for action and indicate strategies for successfully raising the age of marriage.

It is important, for example, to work with the 'social gatekeepers', such as religious leaders, policy makers and parents – those who actually make the decisions – in attitudinal change. Programme designers need to respect and work with these influential adults, whose concerns – and the reasons for them – should be understood and evaluated in a search for areas of consensus around the overall goals.[13]

Promoting Education

In every region girls who receive less schooling are more likely to marry young. In Zambia, for example, only 44 per cent of women aged 20-24 married before the age of 20 had completed primary school, compared to 83 per cent of those married at age 20 or older, according to research in the mid-1990s. A similar story was found in other countries, such as Kenya, Indonesia, Peru and Morocco.[14]

It is clear that the promotion of education is a strategy with potential for a far-reaching impact on early marriage. Girls who attend school become educated women and, in turn, contribute in human and economic terms to society in a way that goes far beyond their capacity for child bearing and domestic work. School systems can and should be adapted to be more sensitive to girls' needs and more responsive to family concern about the safety of their girls.

Experience shows that it is possible to introduce some of the most important concepts surrounding sexuality and reproduction into education without arousing controversy. These include respect for others; self-esteem; the importance of postponing the first pregnancy; and the ability to withstand peer pressure.[15]

The long-term impact of such 'population education' has not been studied, but there are indications that it has an impact on behaviour. In China, for example, pilot school projects reported that following exposure to population education, students who had agreed to postpone marriage were sticking to their agreement.[16]

Schooling is also an important means by which boys can learn the importance of respect for girls' rights, and can develop the positive attitudes that influence their behaviour through life. There is far more to be learned about how to influence boys' attitudes, to help them develop into responsible, healthy young men. Research institutions need to combine forces with the education sector to overcome this problem.

Partnerships for Change

Finally, the formation of partnerships is a strategy that increases the chances of success in addressing this problem. To end the practice of early marriage, resources must be mobilised at all levels, within a coordinated and cooperative structure. All actors have a role to play – families, communities, health providers, education services, religious leaders, local and national government, and international organizations. NGOs can provide valuable lessons from the field, and offer a means of establishing new initiatives. The media has a crucial role to play in terms of changing attitudes and raising awareness amongst these different actors. It can promote arguments against early marriage, raise awareness of the potential of girls and women, and depict positive role models. It is important that adolescents are involved in designing, implementing and evaluating programmes intended for their benefit.[17]

Conclusion

In my own country, Pakistan, girls still get married early and many start having children while they are still in their teens. This is a threat to their health and their lives; maternal mortality is unacceptably high and the greatest danger is to the youngest women.

Early marriage is a powerful disincentive to their educational opportunities; it is a threat to their reproductive health; and it is highly risky for both mother and child, for adolescent girls are physically, mentally and emotionally unprepared for childbirth. Our common aim should be to make it unacceptable in a social as well as a legal sense, to men as well as to women; and to promote actions that will enhance the physical and mental development of young girls and boys and their human rights as a whole.

We want to promote an atmosphere in which couples are free to make choices, firmly grounded in maturity, and to wait until they are ready for marriage. Working together to change attitudes and legislation, improve data collection and promote education, we can achieve this goal.

1 UNFPA, *Early sexual unions can undermine well-being*, (www.unfpa.org/modules/intercenter/hopes/early.htm)
2 Ibid
3 UNFPA (1997), *State of World Population*.
4 UNFPA (2000), *Population Issues Briefing Kit*.
5 UNFPA (1997), Annual Report.
6 UNFPA (2000), op-cit.
7 UNFPA (1997) Annual Report.
8 UNICEF (1996), *The Progress of Nations*.
9 *Progress Report on follow-up to the World Summit for Children*, UNICEF Executive Board Annual Session (2000), E/ICEF/2000/11, para 28.
10 UNFPA (1997) *State of World Population*.
11 UNFPA (1997), UNFPA and Adolescents. (www.unfpa.org/icpd/round%26meetings/ny_adolescent/reports/adoles.htm)
12 Report of the International Conference on Population and Development: A/Conf.171/13: Report of the ICPD (94/10/18).
13 UNFPA (1997), UNFPA and Adolescents, op-cit.
14 UNFPA (1997) *State of World Population*
15 Sikes, O.J., Palacio, J. and Kerr, B. *Key Non-Controversial Concepts of Population Education* in International Review of Education, Vol. 39, Nos. 1-2, March, 1993, Unesco Institute for Education, Hamburg.
16 UNFPA (1997), UNFPA and Adolescents, op-cit.
17 Ibid.

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This section contains information about some of the major intergovernmental organizations, and international and regional NGOs working on issues related to early marriage. These contacts should serve as links to other types of organizations, particularly national and local NGOs, professional and community organizations, academic and other institutes and government bodies, whose work is relevant to the issue of early marriage and/or adolescent health, education (formal, non-formal and vocational) and human rights advocacy. It is not intended to be a comprehensive listing, nor does it prioritize or rank the organizations listed.

UNITED NATIONS AND ITS SPECIALIZED AGENCIES

United Nations Children's Fund (UNICEF)

3 UN Plaza
New York
NY 10017
USA
Tel.: +1 212 326 7000
Fax: +1 212 888 7465
E-mail: netmaster@unicef.org

Activities
UNICEF promotes the equal rights of children and women, guided by the CRC and CEDAW, through action and advocacy programmes at international, regional, national and local level. It works with governmental and non-governmental partners to empower young people with improved life skills and increase their access to health and education facilities. UNICEF is also a member of the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*).
Website: www.unicef.org

United Nations Development Fund for Women (UNIFEM)

304 East 45th Street, 15th floor
New York
NY 10017
USA
Tel.: +1 212 906 6400
Fax: +1 212 906 6705
E-mail: unifem@undp.org

Activities
UNIFEM has made women's rights the centrepiece of its empowerment approach to programming. Strategies to support women's rights include strengthening the advocacy capacity of national and regional women's organizations, increasing women's access to and use of international human rights machinery and mainstreaming the subject in UN system-wide activities.
Website: www.unifem.undp.org

United Nations Development Programme (UNDP)

1 UN Plaza
New York
NY 10017
USA
Tel.: +1 212 906 5558
Fax: +1 212 906 5001

Activities
UNDP works with the governments of developing countries to promote policies that protect the rights of the poor, especially women, and help them gain access to financial, social and legal services. As part of its contribution to the UN Inter-Agency Campaign on Women's Human Rights, UNDP's Regional Bureau for Latin America and the Caribbean (RBLAC) has developed a website containing information materials from partner agencies including UNDP's own country offices.
Website: www.undp.org
Website (RBLAC): www.undp.org/rblac/gender

United Nations Population Fund (UNFPA)

220 East 42 Street
New York
NY 10017
USA
Tel.: +1 212 297 5020
Fax +1 212 557 6416
Contact: Oscar J. Sikes
E-mail: sikes@unfpa.org

Activities
UNFPA works in three main programme areas: Reproductive Health, Family Planning and Sexual Health, and Population and Development Strategies. It is a member of the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*). UNFPA supports measures to empower women, including universal education for girls and women. UNFPA believes that promoting the well-being of children, especially girl children, is a development goal in itself.
Website: www.unfpa.org

World Health Organization (WHO)

CH-1211 Geneva 27
Switzerland
Tel.: +41 22 791 2718
Fax: +41 22 791 4881
E-mail: info@who.ch

Activities
WHO has four main functions: to give worldwide guidance in the field of health; to set global standards for health; to cooperate with governments in strengthening national health programmes; and to develop and transfer appropriate health technology, information and standards. WHO is a partner with UNICEF in the Baby Friendly Initiative to promote and support breastfeeding, and is also a member of the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*).
Website: www.who.ch

United Nations Educational, Scientific and Cultural Organization (UNESCO)

7 Place de Fontenoy
75007 Paris
France
Tel.: +33 1 45 68 1813
Fax: +33 1 45 68 5626/28
Contact: Koto Kanno
E-mail: K.Kanno@unesco.org

Activities
UNESCO undertakes research, training, technical cooperation and information exchange to fulfil its mandate of promoting collaboration among nations through education, science, culture and communication. The organization places particular emphasis on promoting girls' education in Africa.
Website: www.unesco.org

United Nations Division for the Advancement of Women (DAW)

2 UN Plaza, DC2-12th Floor
New York
NY 10017
USA
Fax: +1 212 963 3463
E-mail: daw@un.org

Activities
DAW conducts research, develops policy options and provides gender policy advisory services to enhance the participation of women in developing countries. The Division also publishes research and data on women and gender issues and works closely with inter- and non-governmental organizations. It assists the Commission on the Status of Women (CSW) and the Committee on the Elimination of Discrimination

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against Women (CEDAW) in their mandated tasks.
Website:
www.un.org/womenwatch/daw

United Nations High Commissioner for Human Rights (UNHCHR)
OHCHR-UNOG
1211 Geneva 10
Switzerland
Tel.: +41 22 917 9000
Fax: +41 22 917 9016
E-mail: webadmin.hchr@unog.ch

Activities
The Office of the United Nations High Commissioner for Human Rights plays the leading role on human rights issues, promotes international cooperation for human rights, undertakes preventive human rights action and carries out human rights field activities and operations.
Website: www.unhchr.ch

United Nations Population Division
Department of Economic and Social Affairs
United Nations
2 UN Plaza, Room DC2-1950
New York
NY 10017
USA
Tel.: +1 212 963 3179
Fax: +1 212 963 2147

Activities
The Population Division is responsible for providing the international community with current and scientifically objective information on population and development. It provides guidance to the UN General Assembly, Economic and Social Council and the Commission on Population and Development on population and development issues. The Division undertakes regular studies on population trends, estimates, projections and policies, and population and development interrelationships.
Website:
www.un.org/esa/population/unpop.htm

United Nations Economic Commission for Asia and the Pacific (ESCAP)
Population and Rural and Urban Development Division (PRUDD)
United Nations Building
Rajdamnern Avenue
Bangkok
Thailand
Tel.: +66 2 288 1512
Fax: +66 2 288 1009
E-mail: debavalya.unescap@un.org

Activities
The ESCAP Population Division issues the quarterly Asia-Pacific Population Journal, focusing on the policy and programme implications of population research in the ESCAP region. This refereed professional journal contains articles, papers and notes that cover a broad range of population issues of interest to readers in the Asia and Pacific region.
Website:
www.unescap.org/pop/journal

OTHER UN AGENCIES

The work of a number of other United Nations agencies is relevant to various aspects of the issue of early marriage, including the International Labour Organization (ILO), the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the United Nations High Commissioner for Refugees (UNHCR). For information about these organizations, visit their web sites as follows:
ILO: www.ilo.org
UNAIDS: www.unaids.org
UNHCR: www.unhcr.ch

OTHER INTERGOVERNMENTAL ORGANIZATIONS

Pan American Health Organization (PAHO)
525 23rd Street, NW
Washington DC 20037
USA
Tel.: +1 202 9743458
Fax: +1 202 9743143
E-mail: publinfo@paho.org

Activities
PAHO, the regional office of WHO in Latin America and the Caribbean, works closely with grassroots and the right national organizations on the issue of women's and girls' health in 10 countries across the region. At the local level, it creates coordinated community networks including the health and legal systems, churches, NGOs, and community-based groups. At the national level, it strengthens institutional capacity and promotes adoption of legal norms and policies.
Website: www.paho.org

The World Bank
1818 H Street NW
Washington DC 20433
USA
Tel.: +1 202 477 2256
Fax: +1 202 522 3234
E-mail: healthpop@worldbank.org

Activities
The World Bank is the word's largest source of development assistance, providing nearly $16 billion in loans annually. Areas of programme cooperation include HIV/AIDS, poverty reduction, human rights, girls' education, health, nutrition and population. The World Bank is also a member of the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*).
Website: www.worldbank.org

INTERNATIONAL AND REGIONAL NETWORKS

Forum on Marriage and the Rights of Women and Girls
CHANGE
106 Hatton Square
16 Baldwins Gardens
London EC1N 7RJ
UK
Tel.: +44 20 7430 0692
Contact: Susan Ramsay
E-mail: s.j.ramsay@lse.ac.uk
Forum:
forumonmarriage@egroups.com

Activities
Founded in 1998, the Forum is the only network of international agencies and NGOs currently focusing specifically on the issue of early marriage. The Forum sees marriage as a sphere in which women and girls have inalienable rights. It aims to improve understanding of early and forced marriage and its consequences, and to promote efforts to address the practice. It advocates for the rights of women and girls including social rights, reproductive and political rights, the rights to full inheritance and to choose to marry or not. Forum members share information on models of good practice and carry out joint advocacy activities for the greater realization of these rights.

The Inter-African Committee (IAC) on Traditional Practices Affecting the Health of Women and Children
c/o Economic Commission for Africa
P.O.Box 3001
Addis Ababa
Ethiopia
Tel.: +251 1 51 58 26
Fax: +251 1 51 22 33
E-mail: IAC-HTPS@un.org

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Activities
IAC focuses on the elimination of harmful traditional practices, including female genital mutilation (FGM) through networking, workshops and advocacy.
Website: www.iac-ciaf.ch

The Safe Motherhood Inter-Agency Group
Secretariat: Family Care International
588 Broadway, Suite 503
New York
NY 10012
USA
Tel.: +1 212 941 5300
Fax: +1 212 941 5563
E-mail: inf@safemotherhood.org

Activities
The Safe Motherhood Inter-Agency Group includes UNFPA, UNICEF, the International Confederation of Midwives, the International Federation of Gynecology and Obstetrics, the International Planned Parenthood Federation, the Population Council, the Regional Prevention of Maternal Mortality Network (Africa), the Safe Motherhood Network of Nepal, the World Bank and WHO. It aims to improve maternal and new-born survival and well-being by promoting and supporting the implementation of cost-effective interventions in the developing world through policy support and dissemination of best practices and other information.
Website: www.safemotherhood.org

Women in Law and Development in Africa (WILDAF)
2nd Floor Zambia House
Box 4622
Harare
Zimbabwe
Tel.: +263 4 751189/752105
Fax: +263 4 781886
E-mail: wildaf@wildaf.org.zw

Activities
WILDAF promotes and strengthens strategies linking law and development to increased women's participation at the community, national and international levels. It offers networking opportunities through workshops and seminars, produces publications including a quarterly newsletter, conducts training, provides technical assistance for capacity building and is involved in advocacy at the regional and international levels.
Website: www.wildaf.org.zw

Women Living Under Muslim Laws (WLUML)/ Femmes sous lois musulmanes
International solidarity network/ Réseau international de solidarité
Boîte postale 23
34790 Grabels
Montpellier
France

Activities
WLUML is a network of women working at both the grassroots and national levels in the Muslim world to share information, knowledge, contacts and data. In the 16 years since its creation, WLUML has endeavoured to coordinate and encourage the efforts of women in Muslim countries to analyse their situation and formulate workable strategies for change.

Working Groups on Girls (WGGs)
c/o UNICEF
3 UN Plaza
New York
NY 10017
USA
Tel.: +1 212 824 394
Fax: +1 212 824 6482
E-mail: wggs@girlsrights.org

Activities
The Working Groups on Girls comprise over 80 international and national NGOs working in more than 100 countries at the grassroots level. Their activities support three main objectives: to build an international network of grassroots NGOs to advocate for girls' rights; to promote the role of girls as agents of change in their own lives, families, communities and societies; and to urge governments to honour their commitments to girls.
Website: www.girlsrights.org

INTERNATIONAL AND REGIONAL NGOs

Anti-Slavery International
Thomas Clarkson House
The Stableyard
Broomgrove Road
London SW9 9TL
Tel.: +44 (0) 20 7501 8920
Fax: +44 (0) 20 7738 4110
Contact: M. Ouattara
E-mail: m.ouattara@antislavery.org
E-mail: antislavery@antislavery.org

Activities
Anti-Slavery has a comprehensive programme of information gathering, lobbying and advocacy, working with partner organizations around the world on such issues as child labour and the trafficking and enslavement of men, women and children. The website includes an extensive list of links to other organizations working in the field.
Website: www.antislavery.org

Center for Reproductive Law and Policy (CRLP)
120 Wall Street
New York
NY 10005
USA
Tel.: (917) 637 3600
Fax: (917) 637 3666
E-mail: info@crlp.org

Activities
The Center for Reproductive Law and Policy (CRLP) is a legal and policy advocacy organization promoting women's reproductive rights. CRLP's domestic and international programmes in litigation, policy analysis, legal research, and public education seek women's equality in society and their universal access to appropriate reproductive health services. The International Program of the CRLP works in partnership with communities around the world to promote laws and policies that guarantee these rights.
Website: www.crlp.org

Center for Women's Global Leadership
Rutgers, the State University of New Jersey
160 Ryders Lane
New Brunswick
NJ 08901
USA
Tel.: +1 732 932 8782
Fax: +1 732 932 1180
E-mail: cwgl@igc.org

Activities
The Center develops and facilitates women's leadership for human rights and social justice world-wide, through women's global leadership institute sessions, strategic planning activities, international mobilization campaigns, UN monitoring, global education endeavours, publications and its resource centre.
Website: www.cwgl.rutgers.edu

Centre for Development and Population Activities (CEDPA)
1400 16th Street NW
Suite 100
Washington DC 20036
USA

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Tel.: +1 202 667 1142
Fax: +1 202 332 4456

Activities
In cooperation with partners in 128 countries around the world, CEDPA assists reproductive health sprogrammes, women's and girls' literacy projects and economic empowerment programmes. The Better Life Options programme addresses the needs of adolescent girls in access to education, reproductive health information and services and vocational training. CEDPA's annual workshop for youth leaders from Africa, Asia, Latin America and Eastern Europe covers such topics as peer-to-peer approaches, gender issues, family life education and networking.
Website: www.cedpa.org

CHANGE: Non-consensual sex in marriage programme (NCSM)
P.O. Box 18333
London EC1N 7XG
UK
Tel.: +44 20 7430 0692
Fax: +44 20 7430 0254
E-mail: ncsm.change@sister.com

Activities
This worldwide programme, based at CHANGE, seeks to challenge the widespread reluctance to realize women's rights within marriage. NCSM aims to support, inform and facilitate actions to increase women's self-determination in control over their bodies within marriage. The website contains information on its worldwide survey on marriage.
Website: www.ncsm.net

Empowering Widows in Development
36 Faroe Road
London W14 0EP
UK
Tel/Fax: +44 020 7603 9733
E-mail: Margieowen@cs.com

Activities
Empowering Widows in Development was founded in 1996 to raise awareness and understanding of the problems encountered by widows in developing countries and assist national NGOs that support widows fighting for their rights. It works in partnership with national and international NGOs and intergovernmental organizations and highlights the situation of child widows and the children of widows.
Website: www.oneworld.org/empoweringwidows

Family Care International (FCI)
588 Broadway, Suite 503
New York
NY 10012
USA
Tel.: +1 212 941 5300
Fax: +1 212 941 5563
E-mail: fci@idt.net

Activities
FCI addresses urgent health issues including sexual and reproductive health. It works with governments, NGOs and international agencies on programmes of technical assistance in Africa, Asia and Latin America and promotes advocacy world-wide. The organization acts as the secretariat for the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*).
Website: www.familycareintl.org

Alan Guttmacher Institute
120 Wall Street
New York
NY 10005
USA
Tel.: 212 248 1111
Fax: 212 248 1951
E-mail: info@agi-usa.org

Activities
AGI's mission is to protect the reproductive choices of all women and men in the USA and throughout the world. Its domestic and international projects and activities aim to foster sexual and reproductive health and rights; promote the prevention of unintended pregnancies; achieve healthy pregnancies and births; secure societal support for parenthood and parenting; and promote gender equality.
Website: www.agi-usa.org

International Center for Research on Women (ICRW)
1717 Massachusetts Avenue, NW
Suite 302
Washington DC 20036
USA
Tel.: +1 202 797 0007
Fax: +1 202 797 0020
Contact: Kathleen Kurz
E-mail: kkurz@icrw.org
E-mail: info@icrw.org

Activities
The Center gathers information and provides technical assistance on women's productive and reproductive roles in the family and society and advocates with governments and multilateral agencies to advance women's rights and opportunities, principally in developing and transition countries. A current research programme in collaboration with four Indian research institutions focuses on rural and urban, married and unmarried adolescent girls and boys.
Website: www.icrw.org

International Planned Parenthood Federation (IPPF)
Regent's College
Inner Circle,
Regent's Park
London NW1 4NS
UK
Tel.: +44 (0) 20 7487 7900
Fax: +44 (0) 20 7487 7950
E-mail: info@ippf.org

Activities
IPPF is the world's largest non-governmental organization working in the area of sexual and reproductive health and rights, including family planning, through more than 150 national Family Planning Associations worldwide. IPPF seeks to promote and defend the right of women, men and young adults to decide the number and spacing of their children, and the right to the highest possible level of sexual and reproductive health. It is also a member of the Safe Motherhood Inter-Agency Group (*see International and Regional Networks*).
Website: www.ippf.org

International Women's Rights Action Watch (IWRAW)
Hubert H. Humphrey Institute of Public Affairs
at the University of Minnesota
301 19th Avenue South
Minneapolis
MN 55455
USA
Tel.: + 1 612 625 5093
Fax: + 1 612 624 0068
E-mail: iwraw@hhh.umn

Activities
IWRAW is an international network of activities, scholars and organizations that focus on the advancement of women's human rights, and is served by a resource and communications centre based at the University of Minnesota's Humphrey Institute of Public Affairs. This provides technical assistance and research support for women's human rights projects such as law reform, policy advocacy and monitoring government performance on international human rights treaties, particularly CEDAW.
Website: www.igc.org/iwraw

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International Women's Rights Action Watch Asia Pacific (IWRAW-AP)
2nd Floor, Block F, Anjung Felda
Jalan Maktab, off Jalan Semarak
54000 Kuala Lumpur
Malaysia
Tel.: +60 3 291 3292
Fax: +60 3 298 4203
E-mail: iwraw@po.jaring.my

Activities
IWRAW-AP is a collaborative programme to facilitate and monitor the implementation of CEDAW, with projects in 13 Asian countries.
Website:
www.womenasia.com/iwraw

Population Council
New York Headquarters
Population Council
One Dag Hammarskjold Plaza
New York
NY 10017
USA
Tel.: +1 212 339 0500
Fax: +1 212 755 6052
E-mail: pubinfo@popcouncil.org

Activities
The Council focuses on research on a broad range of population issues - demographic studies, research, technical assistance and the development of new contraceptives. In addition, it helps to improve the research capacity of reproductive and population scientists in developing countries through grants, fellowships, and support for research centres. The Population Council is also particularly concerned with the reproductive health and well-being of the one billion adolescents in the developing world.
Website: www.popcouncil.org

Save the Children Fund (UK)
17 Grove Lane
London SE5 8RD
UK
Tel.: +44 (0) 20 7703 5400
Fax: +44 (0) 20 7703 2278
Contact: M. Thomson
E-mail: M.Thomson@scfuk.org.uk
E-mail: enquiries@scfuk.org.uk

Activities
SCF works in 70 countries, conducting research on children's issues, supporting practical projects that involve children and their families and advocating for changes to benefit children both at home and overseas. SCF is a member of the International Save the Children Alliance and was a founding member of the Forum on Marriage and the Rights of Women and Girls (*see International and Regional Networks*).
Website:
www.savethechildren.org.uk

Sisterhood is Global Institute (SIGI)
1200 Atwater, Suite 2
Montreal
QC
Canada H3Z 1X4
Tel.: +1 514 846 9366
Fax: +1 514 846 9066
E-mail: sigi@qc.aibn.com

Activities
SIGI is an international NGO dedicated to the support and promotion of women's rights. With members in 70 countries and a network of more than 1,300 individuals and organizations worldwide, SIGI works to empower women and develop leadership through human rights education.
Website: www.sigi.org

Womankind Worldwide
Viking House
3rd Floor
5-11 Worship Street
London EC2A 2BH
Tel.: +44 (0) 20 7588 6096
Fax: +44 (0) 20 7588 6101
E-mail: info@womankind.org.uk

Activities
Womankind Worldwide supports grassroots programmes in Africa and Latin America in such areas as health and gender relations within the household, violence against women, income generation and microcredit. It also supports the Western Cape Network in South Africa.
Website: www.womankind.org.uk

ADDITIONAL WEB RESOURCES

AVIVA
www.aviva.org
AVIVA provides website facilities with a free listings service for women's groups to promote worldwide networking.

CRIN - Child Rights Information Network
www.crin.org
CRIN is a global network of organizations exchanging information about children's rights to promote the CRC and to improve policy and practice. The website includes bibliographic references, databases, a calendar of events and links to child-focused sites.

Fondation du Present (FdP)
www.fdp.org
FdP supports and manages the GENDER-AIDS forum dedicated to gender issues in relation to HIV/AIDS. The forum can be accessed at www.hivnet.ch:8000/topics/gender-aids. Postings may be sent to gender-aids@hivnet.ch.

The Global Reproductive Health Forum South Asia
www.hsph.harvard.edu/grhf/SAsia/forums
The Forum's website at Harvard provides access to current research originating from South Asian organizations and universities with annotated bibliographies, listings of relevant organizations and other resources as well as a discussion site. Issues covered include child marriage, the girl child and dowry.

Human Rights Web
www.hrweb.org
Human Rights Web contains an extensive range of resources on human rights including newsgroups, mailing lists and links to international, regional and national organizations working in the field.

Project Diana
http://diana.law.yale.edu
An international archive of human rights legal documentation, maintained at Yale Law School under the guidance of the Orville H. Schell, Jr. Center for International Human Rights.

Qweb Sweden: A Women's Empowerment Base
www.qweb.kvinnoforum.se
A global communication network for the exchange of knowledge, experience and ideas on women's health and gender studies. Issues covered include society and women's health, adolescents and the trafficking of women and girls.

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References

Note on the data: The sources include data on marriage published by the UN Department of Economic and Social Affairs, notably the World Marriage Patterns *2000 Wallchart, and* The World's Women, *a volume of trends and statistics which has been published in 1990, 1995 and 2000. Another wallchart,* Reproductive Rights 2000, *published jointly by the International Planned Parenthood Foundation (IPPF) and the International Women's Rights Action Watch (IWRAW), has also been a useful synthesized source, as have country-based* Demographic and Health Surveys (DHS). *However, some individual country and smaller-scale studies give figures which sometimes appear inconsistent with the synthesis compendia; for example, on the average age of marriage in a certain country. For the sake of the important information these smaller studies offer, there has been no effort to 'correct' or artificially reconcile incidental statistical differences. There may, therefore, be a few minor inconsistencies in the data presented in this publication.*

1 Saxena, Shobha (1999), 'Who Cares for Child Marriages?' *Pioneer*, 29/1/99; www.hsph.harvard.edu/grhf/Sasia/forums/childmar

2 Assani, Aliou (2000), *Etude sur les mariages précoces et grossesses précoces au Burkina-Faso, Cameroun, Gambie, Liberia, Niger et Tchad*, UNICEF WCARO, Abidjan.

3 The World Bank (1999), *Albania: Filling the Vulnerability Gap*. World Bank, Washington DC

4 Nair, Janaki (1995), 'Prohibited Marriage: State Protection and Child Wife', contribution to *Indian Sociology*, January-December 1995

5 Macfarlane, Alan (1986), *Marriage and Love in England: Modes of Reproduction 1300-1840*, Oxford, Basil Blackwell Ltd.

6 Adiakha, Arjun, Mohamed Ayad, and Sushil Kumar (1991), 'The Role of Nuptuality in Fertility Decline: A Comparative Analysis'. In *Proceedings of the Demographic and Health Surveys World Conference*, Washington DC, 1991. Vol 2. Columbia, Maryland: IRD/Macro International, quoted in Westoff, Charles, F., Ann K. Blanc and Laura Nyblade (1994) 'Marriage and Entry into Parenthood', *DHS Comparative Studies* No. 10, Calverton, M.D.: Macro International Inc.

7 UNICEF (1990), 'Safe Motherhood', UNICEF Executive Board, E/ICEF/1990/L.13, New York, UNICEF; also extensive WHO and IPPF literature

8 Alan Guttmacher Institute (1997), *Risks and Realities of Early Childbearing Worldwide* New York.

9 Mensch, Barbara S., Judith Bruce, and Margaret S. Greene (1998) *The Uncharted Passage: Girls' Adolescence in the Developing World*, Figure 9, p 71, The Population Council, New York.

10 UNICEF (1995), 'UNICEF Strategies in Basic Education', UNICEF Executive Board, E/ICEF/1995/16, 7 April 1995.

11 Jones, Gavin (1997), 'Population Dynamics and Their Impact on Adolescents in the ESCAP Region', in *Asia-Pacific Population Journal*, vol. 12, No. 3.

12 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.

13 Barton, Tom and Alfred Mutii (1998), 'Northern Uganda Psychosocial Needs Assessment Report', The Republic of Uganda and UNICEF; 'AIDS Orphans' (2000) Information sheet on the HIV/AIDS emergency, UNICEF ESARO, Nairobi.

14 Black, Maggie (1993), *Girls and Women: A UNICEF Development Priority*, UNICEF, New York.

15 Somerset, Carron (2000), *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Girls, London.

16 Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.

17 'Too Many Teen Brides', in *The Progress of Nations 1998*, UNICEF, New York.

18 Kabir, R (1998), *Adolescent Girls in Bangladesh*, UNICEF Dhaka.

19 'Though Illegal, Child Marriage is Popular in Parts of India' article by John F. Burns, New York Times Report, 11 May 1998.

20 Item in *The Independent* (9/1/1999), quoted in Somerset, Carron (2000) *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Children, London.

21 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.

22 Westoff, Charles F. (1992), 'Age at Marriage, Age at First Birth, and Fertility in Africa', *World Bank Technical Paper* No. 169, The World Bank, Washington DC.

23 Alan Guttmacher Institute (1998), *Into a New World: Young Women's Sexual and Reproductive Lives*, New York.

24 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs

25 Statistics from UN sources quoted in a UNICEF WCARO Meeting of Gender Focal Points, February 1998.

26 Bledsoe, Caroline H. and Barney Cohen, eds. (1993), *Social Dynamics of Adolescent Fertility in Sub-Saharan Africa*, National Academy Press, Washington DC.

27 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs

28 UN 1991; quoted in De Silva, W. Indralal (1997), 'The Ireland of Asia, Trends in Marriage Timing in Sri Lanka', *Asia-Pacific Population Journal*, Vol. 12, No. 2.

29 *Learning from Experience*, SCF UK, www.savethechildren.org.uk/development/ife/girlsrights.pdf

30 'Demographers Appeal for Solution to Early Marriage and Early Childbearing' in *China Population Today* 1991, Oct; 8(5): 3-4.

31 UNICEF Amman (1995), 'Ending Gender Disparities in the Arab World. A Profile on the Situation of Girls in the Region'.

32 El-Hamamsy, Laila Shukry (1994), *Early Marriage and Reproduction in Two Egyptian Villages*, The Population Council/UNFPA, New York.

33 Westoff, Charles, F., Ann K. Blanc and Laura Nyblade (1994), 'Marriage and Entry into Parenthood', *DHS Comparative Studies* No. 10, Calverton, M.D.: Macro International Inc.

34 DHS surveys, CESDEM: Poblacion y Sociedad, Ano III, no. 17, Sept-Oct 1997

35 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs

36 *Deprivation and Discrimination: Children of Minorities* (1995), Innocenti Insights, UNICEF/ICDC, Florence

37 *The Status of Women in Macedonia* (1999), UNDP.

38 *Young People in Changing Societies* (2000), Regional Monitoring Report 7, the MONEE Project for CEE/CIS/Baltics, UNICEF/IRC, Florence.

39 Kyrgyz Republic Demographic and Health Survey 1997, Research Institute of Obstetrics and Paediatrics, Bishkek City, Kyrgyz Republic and Macro International Inc., Calverton, MD, USA.

40 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs

41 Boyden, Jo with UNESCO (1993), *Families: Celebration and Hope in a World of Change*, Gaia Books, UK.

42 Stone, Lawrence (1977) *The Family, Sex and Marriage in England 1500-1800*, London, Weidenfeld and Nicolson

43 Rawson Beryl ed., (1991), *Marriage, Divorce, and Children in Ancient Rome*, Clarendon Press, Oxford.

44 Caldwell, John C. (1982), *Theory of Fertility Decline, Population and Social Structure: Advances in Historical Demography*, Academic Press, London.

45 Macfarlane, Alan (1986), *Marriage and Love in England: Modes of Reproduction 1300-1840*, Oxford, Basil Blackwell Ltd.

46 Rwezaura, Bart (1994), 'The Changing Context of Sub-Saharan Africa' in Philip Alston (ed.) *The Best Interests of the Child*, Clarendon Press, Oxford.

47 'Early Marriage in Selected Villages in Giza Governorate'. A study carried out by the Ministry of Social Affairs, Egypt, and supported by UNICEF Egypt, 1999.

48 Kabir, R (1998), *Adolescent Girls in Bangladesh*, UNICEF Dhaka.

49 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.

50 Assani, Aliou (2000), *Etude sur les mariages précoces et grossesses précoces au Burkina-Faso, Cameroun, Gambie, Liberia, Niger et Tchad*, UNICEF WCARO, Abidjan.

51 'AIDS Orphans' (2000), Information sheet on the HIV/AIDS emergency, UNICEF ESARO, Nairobi.

52 Black, Maggie (2000), *Growing Up Alone: The Hidden Cost of Poverty*, UNICEF UK.

53 World Vision International (1996), 'The Effects of Armed Conflict on Girls', A Discussion Paper prepared for 'The Impact of Armed Conflict on Children', Report of Graça Macel, Expert of the Secretary-General of the United Nations. See also: Black, Maggie

BEST COPY AVAILABLE

(1998) 'Girls and War: An Extra Vulnerability', in *People and the Planet*, vol 7, no 3, London.
54 *Clearing a Path for Girls* (1998). NGOs Report from the Field on Progress since the fourth World Conference on Women, Beijing. NGO Working Group on Girls, New York and Geneva.
55 Pourzand, Niloufar (2000), UNICEF Kabul, personal communication.
56 Owen, M (1996), *A World of Widows*, Zed Books, London; also Kabir, R (1998) *Adolescent Girls in Bangladesh*, UNICEF Dhaka.
57 Caldwell, John C. and Pat Caldwell (1977), 'Role of Marital Sexual Abstinence in Determining Fertility: A Study of the Yoruba in Nigeria', *Journal of Population Studies*, Vol 31, 1
58 *The Scars of Death: Children Abducted by the Lord's Resistance Army in Uganda* (1997), A Human Rights Watch and Amnesty International Report.
59 Stockman, Lorne and Catherine Barnes with Mohamed Hamus Sheikh Mohamed, (1997), *Minority Children of Somalia*, In *War: The Impact on Minority and Indigenous Children*, Minority Rights Group, UK.
60 Richard, J. and P.S.S. Sundar Rao (1999), *The Timing of Marriage*, Christian Medical College, Vellore, India.
61 Muthengi, Alice, *Kenya Tackles Wife Beaters*, BBC News Report, http://news.bbc.co.uk, 3 November 2000.
62 'Report of the Pakistan Commission on the Status of Women', Government of Pakistan, 1989; quoted in: Taylor, Debbie (1993), *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.
63 Caldwell, John C., (1982), *Theory of Fertility Decline, Population and Social Structure: Advances in Historical Demography*, Academic Press, London.
64 Caldwell, John C., (1982), *Theory of Fertility Decline, Population and Social Structure: Advances in Historical Demography*, Academic Press, London..
65 'A Choice by Right: The Report of the Working Group on Forced Marriage' (2000), UK Government, Home Office; www.homeoffice.gov.uk
66 Caldwell, John C., (1982), *Theory of Fertility Decline, Population and Social Structure: Advances in Historical Demography*, Academic Press, London.
67 Centre pour le droit et les politiques en matière de santé et de reproduction (CRLP) and Groupe de recherche femmes et lois au Sénégal (GREFELS) (1999), 'Les femmes à travers le monde: lois et politiques qui influencent leur vie reproductive, l'Afrique francophone'. New York.
68 *Concluding Observations of the Committee on the Rights of the Child: Suriname*. (28/06/2000). CRC/C/15/Add.130.
69 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs
70 *Reproductive Rights 2000 Wallchart*, International Planned Parenthood Foundation (IPPF) and International Women's Rights Action Watch (IWRAW), Minnesota.
71 *World Marriage Patterns 2000 Wallchart*, UN Department of Economic and Social Affairs
72 Whitehead, Judy (1995), 'Modernizing the Motherhood Archetype: Public Health Models and the Child Marriage Act of 1929', *Contributions to Indian Sociology*, 29 (1-2).
73 'Crime in India 1996, 1997 and 1998', National Crime Records Bureau, Ministry of Home Affairs on website: www.hsph.harvard.edu/grhf/Sasia/resources/childmar/statistics.html
74 IAC Newsletter No. 15, December 1993, quoted in Somerset, Carron (2000), *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Children, London.
75 UN Centre for Human Rights (1995), 'Harmful Traditional Practices Affecting the Health of Women and Children', Fact Sheet no. 23. Geneva.
76 *Reproductive Rights 2000 Wallchart*, International Planned Parenthood Foundation (IPPF) and International Women's Rights Action Watch (IWRAW), Minnesota.
77 Farooq, Omer (1993), 'Why Arabs Marry Hyderabadi Girls' in *The Child's Rights Bulletin*, Vol. IV No. 4-5, Oct-Dec 1993, Child Labour Action Network (CLAN), New Delhi.
78 Berhane-Selassie, Tsehai (1993) 'Early Marriage in Ethiopia', Report to the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Addis Abeba.
79 Cited in *Implementation Handbook for the Convention on the Rights of the Child*, UNICEF, 1998, New York-Geneva, p11
80 Cited in *Implementation Handbook for the Convention on the Rights of the Child*, UNICEF, 1998, New York-Geneva, p11
81 These international bodies include: the First Regional Convention on Children's Rights; the 1990 African Charter on the Rights and Welfare of the Child (Art. 21); the Committee on the Rights of the Child (CRC/C/58, pp 27-28, para 97, 1996); the 1986 Report of the Working Group on Traditional Practices Affecting the Health of Women and Children; the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights; the Government of Nigeria in its Initial Report on the Convention on the Rights of the Child; and the Government of Niger in its 1996 report to the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights.
82 Change Newsetter (2000), Non-Consensual Sex in Marrage Programme (NCSM), London
83 Concluding Observations of the Committee on the Rights of the Child; Algeria; CRC/C/15/Add 76, 18 June 1997.
84 West Africa: Assani, Aliou (2000), *Etude sur les mariages précoces et grossesses précoces au Burkina-Faso, Cameroun, Gambie, Liberia, Niger et Tchad*, UNICEF WCARO, Abidjan; Romania: *Women's Rights in Romania: A Shadow Report*, Center for Reproductive Law and Policy and the Society for Feminist Analysis (AnA), Bucharest; other countries: Bruce, Judith (2000), 'Married Adolescent Girls: Numerous but Unknown', Presentation for Beijing+5, Population Council
85 Ayres, B. Drummond (2000), 'Marriage Advised in Some Youth Pregnancies', article in the New York Times, 9 September, 2000.
86 UNICEF Santo Domingo, Dominican Republic, personal communication, October 2000
87 'Report of the Pakistan Commission on the Status of Women', Government of Pakistan, 1989; quoted in: Taylor, Debbie (1993), *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.
88 Taylor, Debbie (1993), *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.
89 Mama, A (1989), *The Hidden Struggle*, London Race and Housing Research Unit, quoted in: Taylor, Debbie (1993), *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.
90 Berhane-Selassie, Tsehai (1993), 'Early Marriage in Ethiopia', Report to the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Addis Abeba.
91 Saxena, Shobha (1999), 'Who Cares for Child Marriages?' *Pioneer*, 29/1/99; www.hsph.harvard.edu/grhf/Sasia/forums/childmar
92 Owen, Margaret, *A World of Widows*, Zed Books, London, 1996.
93 Report of the International Conference on Population and Development (Cairo, 5-13 September 1994) A/Conf/171/13.Report of the ICPD (18/10/94).
94 Berhane-Selassie, Tsehai (1993), 'Early Marriage in Ethiopia', Report to the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Addis Abeba.
95 Centre pour le droit et les politiques en matière de santé et de reproduction (CRLP) and Groupe de recherche femmes et lois au Sénégal (GREFELS) (1999), 'Les femmes à travers le monde: lois et politiques qui influencent leur vie reproductive, l'Afrique francophone'. New York.
96 Change Newsetter (2000), Non-Consensual Sex in Marrage Programme (NCSM), London
97 Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.
98 Sen, P (1997), *A Basket of Resources: Women's Resistance to Domestic Violence in Calcutta*, quoted in: Outtara, Mariam, Purna Sen and Marilyn Thomson (1998), 'Forced Marriage, Forced Sex: the Perils of Childhood for Girls', *Gender and Development*, Vol. 6, No. 3. Oxfam.
99 Adamson, Peter (1996), 'A Failure of Imagination', in *Progress of Nations* 1996, UNICEF, New York.
100 Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.
101 Demographic and Maternal and Child Health Survey 1997: Yemen, Maco International, Inc. reported in *In Focus - Reaching Newlywed and Married Adolescents*, July 1999.
102 Jones, Gavin W., 'Population Dynamics and Their Impact on Adolescents in the ESCAP Region', *Asia Pacific Journal* Vol. 12 no. 3, 1997.

BEST COPY AVAILABLE

103 Blanc, Ann K. and Ann A. Way, 'Sexual Behaviour, Contraceptive Knowledge and Use', in *Studies in Family Planning* Vol. 29, No. 2, 1998.
104 Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.
105 UNICEF (1994), *Too Old for Toys, Too Young for Motherhood*, New York.
106 UNICEF (1994), *Too Old for Toys, Too Young for Motherhood*, New York.
107 *Reproductive Rights 2000 Wallchart*, International Planned Parenthood Foundation (IPPF) and International Women's Rights Action Watch (IWRAW), Minnesota.
108 Senderowitz, Judith (1995), 'Adolescent Health: Reassessing the Passage to Adulthood', *World Bank Discussion Paper no. 272*, Washington DC.
109 'Adolescent Sexuality', Safe Motherhood Fact Sheet (2000), WHO Geneva. (Original source is *The World's Women* 1990, UN Department of Economic and Social Affairs, New York)
110 Center for Reproductive Law and Policy (1999), *Implementing Adolescent Reproductive Rights through the Convention on the Rights of the Child*, Washington DC.
111 Zabin, Laurie Schwab and Karungari Kiragu, (1998), 'The Health Consequences of Adolescent Sexual and Fertility Behavior in Sub-Saharan Africa', in *Studies in Family Planning*, Vol.29 No.2. June 1998.
112 *The Risks to Women of Pregnancy and Childbearing in Adolescence*, Geneva: WHO, Division of Family Health, 1989.
113 1998 study cited by UNICEF Niamey, Niger.
114 'Adolescent Sexuality', Safe Motherhood Fact Sheet (2000), WHO Geneva. (Original source is *The World's Women* 1990, UN Department of Economic and Social Affairs, New York.)
115 Adamson, Peter (1996), 'A Failure of Imagination', in *Progress of Nations* 1996, UNICEF, New York.
116 Early Marriage in Nigeria, in: 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.
117 Memo UNFPA/RR/00/104 of 10/10/2000, Nafis Sadik MD, Executive Director, UNFPA.
118 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.
119 Assani, Aliou (2000), *Etude sur les mariages précoces et grossesses précoces au Burkina-Faso, Cameroun, Gambie, Liberia, Niger et Tchad*, UNICEF WCARO, Abidjan.
120 United Nations (1989), *Adolescent Reproductive Behavior: Evidence from Developing Countries*, Vol. II., *UN Population Studies* No. 109/Add.1., New York.
121 *Second World Situation Report* (1992), ACC/SCN, Geneva.
122 UNICEF (1994), *Too Old for Toys, Too Young for Motherhood*, New York..
123 Burns, John, Article in New York Times, 11 May 1998.
124 Save the Children UK, Study in Nepal, cited in Somerset, Carron (2000), *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Children, London.
125 Adlakha, Arjun, Mohamed Ayad, and Sushil Kumar (1991), 'The Role of Nuptuality in Fertility Decline: A Comparative Analysis', In: *Proceedings of the Demographic and Health Surveys World Conference*, Washington DC, 1991, Vol 2. Columbia, Maryland.
126 UNFPA *State of the World's Population* 1990, New York, UNFPA 1990.
127 Muhammad Ibrahim, CMES, Bangladesh, personal communication, November 2000.
128 Early Marriage in Nigeria, in 'Final Report on National Baseline Survey of Positive and Harmful Traditional Practices Affecting Women and Girls in Nigeria' (1998), Centre for Gender and Social Policy Studies, Obafemi Awolowo University, Ile-Ife.
129 Change Newsletter (2000), Non-Consensual Sex in Marriage Programme (NCSM), London
130 Rocha, Lola, M.C. Gomes and A. Acosta (1990), 'Consolidating Income-Generating Projects for Women', UNICEF Programme Division, New York; quoted in Maggie Black (1996), *Children First*, OUP and UNICEF.
131 Weeks, J.R. (1981), *Population: An Introduction to Concepts and Issues*, Wadsworth, 2nd edition, Portland, Or.
132 King, Elizabeth (1990), *Educating Girls and Women: Investing in Development*, The World Bank, Washington D.C.
133 'A Choice by Right: The Report of the Working Group on Forced Marriage' (2000), UK Government, Home Office; www.homeoffice.gov.uk
134 Bruce, Judith (2000), 'Married Adolescent Girls: Numerous but Unknown', Presentation for Beijing+5, Population Council
135 Rubeihat, Sabri (1994), 'A Study on Violence Against Women in Jordan', quoted in UNICEF, *Ending Gender Disparities in the Arab World*.
136 Somerset, Carron (2000), *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Children, SCF, London. See case study no. 1, an interview of Arisma, conducted by Womankind.
137 'Domestic Violence against Women and Girls' (2000), *Innocenti Digest* No. 6, UNICEF Innocenti Research Centre, Florence.
138 Bruce, J., C.B. Lloyd and A. Leonard (1995), *Families in Focus: New Perspectives on Mothers, Fathers and Children*, The Population Council, New York.
139 Saviridina, Rini (1997), 'Determinants and Consequences of Early Marriage in Java, Indonesia', *Asia-Pacific Population Journal*, Vol. 12, No. 2.
140 Ouattara, Mariam, Purna Sen and Marilyn Thomson (1998), 'Forced Marriage, Forced Sex: The Perils of Childhood for Girls', *Gender and Development*, Vol. 6, No. 3, Oxfam.
141 Alaiorre Rico, Javier and Lucille C. Atkin (1998), cited in: Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.
142 Rao Gupta, Geeta (1998), 'Claiming the Future', in *The Progress of Nations 1998*, UNICEF, New York.
143 Bruce, Judith (2000), 'Married Adolescent Girls: Numerous but Unknown', Presentation for Beijing+5, Population Council
144 Project Visit, Kampala, Uganda, September 2000, Maggie Black.
145 Rao Gupta, Geeta (1998), 'Claiming the Future', in *The Progress of Nations 1998*, UNICEF, New York.
146 Nzomo, Juliana, et al. (2000), 'Non-formal Education: Alternative Approaches to Basic Education in Kenya', report of three-day forum in Samburu District, Kenya.
147 Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York.
148 Lane, Pat (1996), 'Keeping Girls in School', in *The Progress of Nations 1996*, UNICEF New York.
149 *A Selective Review of Interventions for Adolescent Girls in Bangladesh* (1999), UNICEF Dhaka.
150 Russell, Rosalind (1999), *Kenya School Saves Girls from Early Marriage*, Reuters feature story 26/01/99, Nairobi.
151 'A Choice by Right: The Report of the Working Group on Forced Marriage' (2000), UK Government, Home Office; www.homeoffice.gov.uk
152 Somerset, Carron (2000), *Early Marriage: Whose Right to Choose?* Forum on Marriage and the Rights of Women and Children, London.
153 Amin, Sajeda, Ian Diamond, Ruchira T. Naveld and Margaret Newby (1998), 'Transition to Adulthood of Female Garment-factory Workers in Bangladesh', *Studies in Family Planning*, Vol. 29 No. 2.
154 Assad, Marie and Judith Bruce (1997), 'Empowering the Next Generation: Girls of the Maqaasam Garbage Settlement', *Seeds*, No 19, New York.
155 Dow, Unity (1998), 'Birth Registration: The 'First' Right', in *The Progress Of Nations 1998*, UNICEF New York.
156 Angarita, Ana and OJ Sikes, 'Review and Analysis of Premarital/Newlywed Education Activities in Mexico, Indonesia and the Philippines', UNFPA (1990), *Review and Analysis of Premarital/Newlywed Education Activities*, The Population Council, 1987.
157 'A Choice by Right: The Report of the Working Group on Forced Marriage' (2000), UK Government, Home Office; www.homeoffice.gov.uk

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EARLY MARRIAGE:
CHILD SPOUSES

This Digest focuses on early marriage – the marriage of children and young people under the age of 18 – from a human rights perspective. Research into early marriage has tended to concentrate only on specific aspects of its impact such as the effects on reproductive health and school drop-out. There has been little examination of the practice as a child rights violation in itself. The Digest examines the extent of early marriage, its context, causes and its impact on every aspect of the lives of those affected – particularly young girls – and on wider society. It outlines strategies to help those who have been married at an early age, and for the prevention of early marriage through education, advocacy and alliance-building. The Digest concludes with a call for more rights-based research on an issue that has far-reaching consequences.

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